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TURKEY No. 1 (1923).

USANNE CONFERENCE

ON

AR EASTERN AFFAIRS

1922–1923.

Records of Proceedings and Draft Terms of Peace.

[WITH MAP.]

Presented to Parliament by Command of His Majesty.

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The official records of the proceedings of the Conference being in French, all the minutes appearing in this book, together with the annexes thereto and the written communications from other than the British, United States and Japanese delegations, have been translated. This does not, however, apply to the speeches and statements of the British, United States and Japanese delegates, who spoke in English.

NOTE.

In addition to the meetings of the three main commissions, the minutes of which are given in this paper, the following sub-commissions were appointed by each commission. The number of times each met is shown by the figures in brackets:—

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1st *Sub-Commission.*	—Demilitarisation of Frontiers of Eastern Thrace	(3)
2nd *Sub-Commission.*	—Ægean Islands...	(3)
3rd *Sub-Commission.*	—Exchange of Populations	(24)
4th *Sub-Commission.*	—Protection of Minorities	(17)
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SECOND COMMISSION.

1st *Sub-Commission.*	—Legal Status of Foreigners in Turkey ...	(6)
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3rd *Sub-Commission.*	—Nationalities, Antiquities and Return of Treasures, &c.	(4)

THIRD COMMISSION.

1st *Sub-Commission.*	—Financial Questions, Public Debt and Reparations	(8)
2nd *Sub-Commission.*	—Ports, Waterways and Railways	(3)
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PART I.

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SECTION 1.

Public and Plenary Sessions.

No. 1.

Proceedings of the Opening and Public Session of the Near East Peace Conference, held at the Casino de Montbenon, Lausanne, November 20, 1922, *at* 3·30 P.M.

THE countries taking part in the conference were represented by their plenipotentiaries; the respective delegations of these countries were also present. Representatives of the press were admitted, and admittance was granted by the municipal authorities of Lausanne to numerous private persons.

M. Camerlynck acted as interpreter.

M. HAAB, President of the Swiss Confederation, opened the conference with the following speech:—

"Gentlemen, the Powers whose distinguished representatives we have the privilege of greeting here have been kind enough to express the desire that a citizen of Switzerland, a neutral country, should open the first session of the peace conference which is to put an end to the conflict in the Near East.

"The Swiss Federal Council, fully aware of the great historical importance of your task, has entrusted to the President of the Confederation this mission, and we are fully conscious of this honour. It is not without emotion that I have undertaken the task. I have felt myself called to it not only on account of my duties, but also on account of my strong desire to see your work crowned with success.

"In the name of the Swiss Federation, I wish your illustrious assembly a warm and cordial welcome.

"The Swiss Government and people will be happy to see, thanks to the testimony of confidence which has been granted to them, a peace dawn in this country which will contribute to give back to humanity, crushed by moral and economic care, the hope of a better future.

"At all times, in every circumstance, when it is a question of aiding the conclusion of an international agreement or of settling a quarrel peacefully, Switzerland has regarded it as her duty, as a task high above all others, to grant her help, however modest this might be. Also we venture to think that, in choosing a Swiss town as the meeting-place of the conference, your Governments have desired to show us that they appreciate an attitude and a policy which are for us a holy tradition.

"Gentlemen, the battlefields of the recent war, of which all humanity so ardently awaits the end through the medium of your conference, these battlefields are situated at the point of meeting between the two continents of the old world, which have played the greatest part in history.

"These fiercely disputed regions have been the scene of innumerable and bitter fights, recounted to us in the legends of heroic ages, tales of ancient times and the chronicles of the middle ages. In our own time these legendary or historical events still exercise their influence on the fate of peoples. Up to some weeks ago that ground on which so many heroes have trod has once again been covered with blood by battles; and the features of that warlike valour, which used to fill us with enthusiasm at the time when we studied ancient history, have been witnessed once again. It is with respect and admiration that we bow before the tomb of the brave ones who, without hesitation, sacrificed themselves on the altar of their country. Honour to their memory! They have been loyal and faithful unto death.

"Gentlemen, may fate allow the Græco-Turkish war to be the last act in the terrible tragedy which for ten years past has laid waste Europe and a portion of Asia, the baneful consequences of which will be felt both by the conquerors and conquered for generations.

"The whole world therefore turns towards the shores of the Léman an anxious gaze in which, nevertheless, there shines a strong gleam of hope. All hearts are beating in harmony, animated by the same desire—to see your sagacity succeed in giving peace and quietude to the belligerent States, and thence to all humanity, which will thus be able to take up again its onward march towards the conquest of intellectual and economic prosperity.

"In your hands lies the fate of countries and peoples. Your task is as wide as it is delicate. We know also how great is your responsibility. The root problems which you have to solve lie deep down in past centuries.

"History teaches us that these problems have always influenced the fate of the old world.

"In our age of intimate interdependence of peoples, in the economic, financial and intellectual realms, the acute sickness of one member weakens the whole family of nations.

"That is why, Gentlemen, the wise policy of your Governments, after having put a stop to murderous combats, has devoted itself to the task of creating a situation which can obtain for one side as well as for the other the circumstances indispensable for existence and life, and shall not be an obstacle to an imminent reconciliation. The gratitude of the world and the comforting conviction of having worked for the happiness of humanity will be the rightful recompense of this spirit of conciliation and moderation, which is the indispensable condition for attaining any high common aim.

"The two great religions to which the two adversaries of yesterday owe their faith, and from which their civilisation is nourished, meet in this high thought; the best virtues of man are the spirit of harmony and love of peace.

"Gentlemen, in a few weeks we shall celebrate the feast of

Christmas. From the bottom of my heart—and this wish is certainly that of thousands of human beings—I desire that on that solemn day the admirable words, 'Peace on earth and goodwill towards men' may become a reality, thanks to your beneficent work."

Lord Curzon rose and said in reply :—

"We have all of us listened with sentiments of profound respect to the eloquent and elevated language that has been employed by his Excellency the President of the Swiss Confederation.

"We meet here to-day for the latest—and, let it be hoped, the last—of the various conferences that have been held during the past four years to conclude peace and to throw into the background, soon to be forgotten, the memories of the cruel and devastating war of more than four years ago. Hitherto those conferences have been held in the capital city, or in other places in the territories of the principal Powers that fought the war. I have attended—I shrink from saying how many of these conferences—myself in London, in Paris, in towns of Italy and elsewhere, but now for the first time we meet to-day, Sir, under your presidency, in a neutral country. And if a neutral country had to be selected for what I hope will be a gathering to conclude the final peace, what country could be better fitted for the honour of offering us her hospitality than Switzerland herself?—Switzerland, who behind her ring of inviolable mountains has for more than a century never been invaded; Switzerland, who never has cause to fight, although, if she were provoked, everyone of her sons would spring at once to the defence of her soil; Switzerland, who, for a century and more, has preached peace and conciliation to the world; Switzerland, who sets an example to all Europe of a peace-loving and orderly community? Surely, Gentlemen, in this atmosphere, in this beautiful place and amid the surroundings in which we shall find ourselves for the next two or three weeks, it ought to be easy for a spirit of harmony and conciliation to grow up amongst us.

"The President has indeed spoken in a language of the most feeling character of all the sacrifices and the sufferings of the war, and he has appealed to us to bring about a state of affairs which will make them a soon-to-be-forgotten memory of the past. Let everyone of us respond to the spirit in which he has spoken to us this afternoon. Let each one of our delegations—and I can speak for my own—enter upon every phase of this conference with no other desire than to come to an agreement upon all these complicated questions which will come before us, to make peace so that we may all go away from this place conscious that we have each made our own contribution to the final act of this great drama.

"I do not know, Gentlemen, how long our proceedings may last. I do not know how long we shall trespass, Sir, upon your hospitality. This I can say for my own delegation, and I am sure, I believe, for the others, that no effort will be wanting on our part to carry things to a successful issue, and to give the credit to your beautiful country of having provided the scene where the last act of all our troubles shall be terminated by an enduring peace."

When Lord Curzon had finished, Ismet Pasha made the following speech:—

"Gentlemen, an armistice concluded more than four years ago on the basis of, and in belief in, the principles of President Wilson officially suspended the hostilities in which the Ottoman Empire found itself engaged.

"The Turkish nation, continually deprived of the benefits of peace, realised the inadequacy and fruitlessness of its ceaseless peaceful efforts to obtain equity and justice, and understanding that no other hope of salvation remained to it, the nation succeeded in defending its existence by its own moral and material resources. In this course it has endured sufferings, and has made innumerable sacrifices which have been sympathetically witnessed by free nations. Turks of every age and condition, women and children, have contributed to this defensive struggle. I cannot refrain from mentioning the endless attacks and the sufferings to which the Turkish nation has been exposed since 1918—attacks and sufferings which cannot be justified in any way—and also the ravages systematically carried out without any military necessity and with the sole object of destruction in the richest and most prosperous of its territories.

"I must also mention that even at this time more than 1,000,000 innocent Turks are wandering homeless and hungry amidst the ruins on the plains and table-lands of Asia Minor.

"In making these superhuman sacrifices, the Turkish nation has conquered its place in civilised mankind with all those rights to existence and independence which are inherent in nations capable of a vigorous vitality, and also as an element of peace, harmony and industry. The highest aim of the Grand National Assembly of Turkey is to maintain and consolidate this position.

"The events of these last years having established as a dogma in the conscience of humanity the truth that general peace and tranquillity can only be obtained in so far as nations mutually respect their rights to freedom and independence, I trust that the memory of these events will constitute a pledge of peace and stability for the future.

"I cling to the hope that the Turkish delegation, which is animated with the greatest possible goodwill, will find in the other delegations a similar goodwill, and that in this manner the efforts of the conference will lead to a satisfactory result.

"I end, M. le Président, by thanking the Swiss Confederation, in the name of the Grand National Assembly of Turkey, for the courteous hospitality which they are kindly granting us by consenting to the meeting of our conference on their national territory. I am all the more satisfied with the happy choice of the seat of this conference, since it is held in a country whose glorious history is the most irrefutable witness of the valour which a noble nation attaches to its independence."

The President of the Swiss Confederation then rose to thank Lord Curzon and Ismet Pasha for their complimentary speeches in regard to his country, and announced that the conference would meet again at the Hôtel du Château d'Ouchy at 11 A.M. on the following day. He then declared the session closed.

No. 2.

Minutes of the First Plenary Session, November 21, 1922, at 11 A.M., under the provisional presidency of Lord Curzon.

Present:

British Empire.

The Marquess Curzon of Kedleston (*in the Chair*).
Sir Horace Rumbold.

France.

M. Barrère.
M. Bompard.

Italy.

Marquis Garroni.
M. Lago.

United States of America.

Mr. Child.
Mr. Grew.

Japan.

Baron Hayashi.
Mr. Otchiai.

Greece.

M. Veniselos.
M. Caclamanos.

Roumania.

M. Duca.
M. Diamandy.

Kingdom of the Serbs, Croats and Slovenes.

M. Nintchitch.
M. Rakitch.

Turkey.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

British Empire.

Sir William Tyrrell.
Major-Gen. Burnett-Stuart.
Captain Pound, R.N.
Mr. Fountain.
Mr. Malkin.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. Waley.
Mr. McClure.

France.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. Massigli.
M. Bargeton.
M. Serruys.
M. Bexon.
M. Corbin.
M. de Percin.
M. Barois.
Lieut.-Col. Courtin.
Commandant de Lamoricière.
Captain d'Astier.

Italy.

M. Arlotta.
M. Guariglia.
M. Nogara.
M. Ciamarra.
Colonel Vitale.
M. Guarnaschelli.

United States of America.

Mr. Amory.

Japan.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

Greece.

General Mazarakis.
M. Dendramis.

Roumania.

Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Christitch.
M. Antitch.

Turkey.

Munir Bey.
Zekiai Bey.
Mustafa Sherif Bey.
Veli Bey.
Tahir Bey.
Moukhtar Bey.
Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

1. *Thanks to the Swiss Government.*

Lord Curzon stated that before proceeding with the business of the meeeting he desired to express the thanks of the conference to the Government of the Swiss Confederation, and to the authorities of the Canton of Vaud and the town of Lausanne, not only for their courtesy in placing the necessary premises at the disposal of the conference, but also for all the facilities which they had offered to the various delegations for their postal, telegraphic and telephone communications. These facilities would contribute greatly to the rapidity and success of the negotiations.

M. Barrère, Marquis Garroni, Baron Hayashi and Ismet Pasha associated themselves with these declarations.

2. *Language.*

Lord Curzon raised the question of the languages to be used at the conference. There were three official languages: French, Italian and English. His experience of conferences had convinced him that the translation of speeches into several languages occasioned much loss of time. Since French was understood by most of the delegations, speeches in French need not be translated generally; it would be sufficient to translate speeches made in languages other than French. If a delegate did not understand any statements made in French, he could either during the course of the speech or at the end ask for a translation or summary of all or part of it.

3. *Rules of Procedure.*

The first object of the present meeting was to discuss the draft rules of procedure which had been prepared the day before by a committee of experts. This draft had been communicated to all the delegations, and therefore need not be read through. He proposed to discuss it article by article in order that each delegation might have the opportunity of presenting its observations. (For the draft rules, see Annex.)

Article 1.

Lord Curzon said that article 1 was a simple enumeration of the Powers represented at the conference, and appeared to call for no observations.

Ismet Pasha observed, in reference to the title of the draft, that it would be better to replace the words "Draft Rules of the Conference on Eastern Affairs" by the expression "Draft Rules of the Conference of Lausanne."

He further remarked that the enumeration of the Powers represented by plenipotentiaries was not exhaustive, and that it would be better to specify the Powers which had been indicated in the notes exchanged between the Allies and Turkey with a view to the opening of the conference, as well as the questions which those Powers would be called upon to discuss. As regards the second paragraph of the article, he must insist on the representation of Russia, the Ukraine and Georgia in the discussion on the régime of the Straits.

With reference to the third paragraph, he declared that the Turkish delegation were not authorised by their full powers to engage in negotiations with Powers which had not been named in the above-mentioned notes.

Lord Curzon said that the title of the conference had better be "Lausanne Conference on Near Eastern Affairs." (Assent.) It had appeared unnecessary to name the participating Powers, since they were well known and had been enumerated in the press. As regards the representation of Russia, the Ukraine and Georgia in the discussion of the régime of the Straits, the draft submitted to the conference met the desire expressed by Ismet Pasha, since it provided for the participation in these negotiations of the States bordering on the shores of the Black Sea.

M. Barrère thought that this discussion was due to a misunderstanding which could easily be cleared up. It would not be desirable to introduce into the rules of the conference questions of a political character which would be examined later on. If the Turkish delegation were willing to recognise the desirability of separating the discussion of political questions from those of procedure, the misunderstanding would be removed.

Ismet Pasha nevertheless maintained his reservations in regard to the first and third paragraphs of article 1.

Article 2.

Article 2 was read.

Ismet Pasha said that the Government of the Grand National Assembly of Turkey had appointed three plenipotentiary delegates, and that Turkey had not adhered to the proposal of the Allied Powers to limit the number of plenipotentiaries to two from each Power.

Lord Curzon thought that in practice the observation of Ismet Pasha presented no difficulty, since the two plenipotentiary delegates could always be accompanied by a technical adviser and a plenipotentiary could attend in that capacity.

Ismet Pasha maintained the view which he had just expressed on the subject of the plenipotentiary character of the three Turkish delegates.

Article 3.

Lord Curzon said that this article concerned the presidency of the conference.

Ismet Pasha objected to the rotation of the presidency being limited to France, Great Britain and Italy, and asked that this rotation should also include Turkey on the ground that the latter had also in the first instance invited the Powers to meet at Smyrna; the position of an inviting Power could also apply to her.

Lord Curzon pointed out that article 3 also concerned the institution of a secretariat-general.

Ismet Pasha said that since his proposal on the subject of the presidency had not been adopted, he suggested as a minimum compensation the choice of a member of the Turkish delegation as secretary-general of the conference. He also took this occasion to reaffirm that the Turkish delegation was participating in the Conference of Lausanne on the same footing of equality as the other Powers.

Lord Curzon said that Ismet Pasha's request was contrary to all precedents. He was happy to propose the appointment of M. Massigli as secretary-general. He had had frequent opportunity for appreciating the ability and courtesy of M. Massigli, and he thought that the conference would be very fortunate if M. Massigli would be so good as to accept the office which he proposed to confide to him. (Assent.)

Ismet Pasha, while making reserves on the principle at issue, stated that he had no objection to the appointment of M. Massigli as secretary-general of the conference, and associated himself with the proposal made by Lord Curzon.

M. Massigli thanked the conference for the confidence which they had been good enough to repose in him, and said that he would use all his efforts to show himself worthy of it.

Article 4.

Article 4 was adopted without observation.

Article 5.

Lord Curzon observed that this article concerned a very important question. It proposed that all questions involved in the scope of the conference should be examined by three commissions, the president of each commission being a delegate of one of the three inviting Powers. These commissions were also empowered to nominate sub-commissions and committees of experts, the chairmanship of which would be open to all the delegations. The plenary sessions of the conference would be rare; they would only take place when summoned to receive and discuss the reports presented by the commissions. The latter would perform the essential part of the work. He suggested that the first Italian delegate should preside over the second commission, the first French delegate over the third, and the first British delegate over the first.

Ismet Pasha accepted the method of work proposed by Lord Curzon. He thought that as the questions to be treated by the commissions directly and primarily concerned Turkish interests, the Turkish delegation should participate in the presidency of them. He further declared that the régime of the Straits could only be settled (as had already been stipulated in the notes which his Government had addressed to the Powers on the subject) with the express participation of Russia, the Ukraine and Georgia.

Lord Curzon said that he wished to repeat the statement already made by him in connection with article 1, that he attached the greatest importance, as moreover did all the other Allied Powers, to the participation of the States bordering on the Black Sea in the discussion on the régime of the Straits. As all those present knew, an invitation to this effect had been addressed to the Russian Government, but the latter had not yet given a definite reply.

As regards the question of the presidency of the commissions, he wished to observe to Ismet Pasha that the assumption of it by the inviting Powers did not imply any intention of failing in courtesy towards the Turkish delegation. In point of fact the responsibility for the conference rested on those Powers which had convoked it; that was why it belonged to them to direct the debates of the commissions. Moreover, the sub-commissions would certainly be very numerous, and there was no objection to these sub-commissions appointing a member of the Turkish delegation to preside over them. He was anxious to remove from the minds of the Turkish delegation any feeling that there was the slightest desire to treat them less favourably than the other delegations.

ISMET PASHA replied that his objection did not in any way arise from the fear that Turkey would be treated on a different footing from the other Powers; it was dictated to him by his concern for the very important interests represented by the Turkish delegation.

LORD CURZON took note of Ismet Pasha's remarks and proposed to pass to the discussion of the next article (No. 6).

Article 6.

Article 6 was adopted.

Article 7.

LORD CURZON said that he knew from experience how important it was for the smooth progress of the discussions that the proposals to be examined by the conference should be communicated in advance in writing, so that the delegations should know what was to be discussed. Only on this condition could discussion be fruitful. It was of course more difficult to prescribe the same rule in regard to amendments which often arose out of the discussion itself. It would, however, be convenient if the exact text of such amendments were handed to the secretary-general in writing as soon as possible. (Approved.)

Article 8.

Article 8 was adopted.

Article 9.

LORD CURZON thought that the provisions of this article were very important. They related to the secrecy which must attach to the deliberations of the conference. Having regard to the importance of the interests to be discussed, it was necessary to abstain from making any disclosure regarding the negotiations in progress. It should be sufficient if a daily communiqué were issued to the press recording the results achieved; but it was important that the delegations should undertake not to disclose to anybody what had happened at the conference.

M. BARRÈRE entirely shared the opinion of Lord Curzon. He thought that discretion was indispensable in order to allow the conference to conduct its work to a successful conclusion. An endeavour should be made to let public opinion receive trustworthy information which could not in any way disturb it. At all costs, public passions must not be brought into the debates of the conference. For his part, he would loyally observe the undertaking proposed by Lord Curzon.

Marquis Garroni associated himself with these declarations, and said that it would be well to direct the secretary-general to give the press suitable information every day.

Ismet Pasha said he would prefer that the debates should be public, but in order to associate himself with the opinion of the majority of the delegations present he adhered to Lord Curzon's proposal. He must, however, state that in case the Turkish delegation were not in agreement on the text of the communiqué, they must reserve to themselves the right of drawing up and publishing a separate communiqué.

Lord Curzon hoped that the communiqués published by the secretary-general would only contain information of a general character on which all the delegations would be able to agree. (Approved.)

Article 10.

Ismet Pasha proposed that the protocols should be signed by the secretaries-general of the delegations of the Powers enumerated in article 6. It was only on this condition that he could dispense with the reading of the protocol at the beginning of each meeting. A protocol, in his opinion, was a diplomatic act of an official character, and must therefore bear the signature of the Turkish delegation on the same footing as that of the secretary-general who represented the Great Powers.

M. Massigli thought that the difficulty indicated by Ismet Pasha would easily be avoided by deciding that the drafting of the protocols should be made in close collaboration with the secretary-general of the Turkish delegation. He wished also to recall the fact that the protocols only became valid when they had been approved by all the delegations. If the conference agreed, this approval could be certified by having the definitive protocols signed by the secretaries-general of the delegations. (Approved.)

4. *Position of the United States Delegation.*

Mr. Child, on behalf of the United States delegation, desired to express his great satisfaction at taking part in the work of the conference. The United States delegation would be present at all the discussions, and desired to be treated and heard on a footing of entire equality with the other delegations. He must frankly state that the United States delegation did not ask to take part in the actual negotiations, to put its signature to any documents, nor to take any engagement whatsoever. He added that the declarations which he would have to make would be as clear and concise as possible.

5. *Future Business.*

Lord Curzon said that the conference would meet again in the afternoon at 4 o'clock in plenary session to hear the general observations of the delegations. The First Commission would sit the next day (22nd November) at 10·30 a.m.

M. Barrère said he was anxious that the three commissions should not sit simultaneously, so that all the delegates could take part in the debates. (Approved.)

Lord Curzon preferred that only the First Commission should sit to begin with, and that the conference should wait before embarking on the work of the other two commissions until the first had made some progress.

He added that the secretary-general requested his colleagues from the various delegations to meet in his office at 2·30 p.m. in order to settle questions of detail as regards the working of the conference.

(*The meeting adjourned at* 1·5 p.m.)

Annex to No. 2.

Draft Rules for the Conference on Eastern Affairs.

I.

The conference which has met at Lausanne, on the invitation of the Governments of France, Great Britain and Italy, with a view to re-establish general peace in the East, includes plenipotentiary representatives of the Powers between which the state of peace has been interrupted since 1914 and has not yet been definitely re-established, as well as representatives of the United States of America.

Moreover, in so far as the discussion of the régime of the Straits is concerned, the conference includes representatives of those other countries which, being littoral States of the Black Sea, have been on that account invited to take part in this discussion.

Third Powers which are interested in the settlement of Eastern affairs may be admitted to the discussions for the purpose of stating their views either orally or in writing on such questions as directly concern them.

II.

The Powers will be represented by plenipotentiary delegates to the maximum number of two for each Power. The plenipotentiary delegates may be assisted by technical delegates or experts, duly accredited, and also by secretaries, interpreters and shorthand-writers.

The plenipotentiary delegates may not be accompanied at the meetings, in addition to the necessary technical delegates or experts, by more than one secretary, one interpreter and two shorthand-writers at most.

The minutes of the meetings will carefully mention the name and official position of all persons present.

III.

The Powers which have organised the conference will take it in turn to provide a chairman. A secretariat will be formed on which each of the Powers referred to in paragraph 1 of article 1 will be represented. The duties of the secretariat will be, under the control of the presidency of the conference, to draw up the minutes of the meetings, to provide for the administrative organisation of the conference, and, generally, to ensure the regular, punctual and impartial functioning of the services for which it will be responsible.

The secretariat will be directed by a secretary-general.

The secretary-general will be entrusted with the custody of the archives, for which he will be responsible.

IV.

As soon as the secretariat is formed, each delegate will hand over to the secretary-general the full powers with which he is provided, and also a list containing the name, rank and official position of the persons who form part of his delegation.

It will be the duty of the secretary-general to examine the full powers, and it will be open to him, if necessary, to obtain the assistance for this purpose of the select committee of legal experts provided for below.

V.

Three commissions, in which the Powers mentioned in article 1 will take part, according to the conditions laid down in that article, will be entrusted with the consideration of the questions involved in the conclusion of the Treaty of Peace. They will be:—

(1.) A commission on territorial and military questions; and on the régime of the Straits.

(2.) A commission on the régime of foreigners and minorities in Turkey.

(3.) A commission on financial and economic questions; on ports and railways; and on sanitary questions.

Each of these commissions will be presided over by a delegate of one of the Powers which have organised the conference.

In the commissions the presidency will, in the absence of the president, be taken over by the second delegate of the Power to which the presidency has been allocated.

Each commission will be free to constitute, if necessary, sub-commissions, and to entrust to committees, composed of technical delegates or experts, the examination of particular questions, with the duty of presenting a report and of proposing solutions.

VI.

A drafting committee, composed of a limited number of duly qualified legal experts, will be formed in order to ensure the co-ordination of the results of the conference and their final embodiment in a unified form. It will further be its duty to give all legal information which may be required of it. This committee will include a British representative, a French representative, an Italian representative, a Japanese representative and a Turkish representative.

VII.

All memoranda, proposals, amendments, and, generally, all documents intended to appear in the minutes or to be discussed by the conference or by a commission or sub-commission must in every case be presented in advance to the secretariat-general, in writing, signed by, or in the name of, the plenipotentiary who is responsible for them.

VIII.

Except for proposals or amendments referring to questions appearing in the agenda of a meeting or resulting from current discussions, all memoranda, proposals or documents emanating from the plenipotentiaries who are members of the conference, must be addressed to the secretariat-general, which will ensure their immediate circulation.

All memoranda, petitions, proposals or other documents addressed to the conference and emanating from persons other than the plenipotentiaries who are members thereof, will be received by the secretariat-general and circulated as widely as the number of copies sent permits.

IX.

Publicity will be given to the work of the conference by means of official communiqués prepared by the secretariat-general.

X.

The minutes which the secretariat will cause to be drawn up will be signed by the secretary-general and circulated in provisional proofs, of which at least three copies will be sent to each delegation with the least possible delay.

In order to save time the preliminary communication so made will take the place of the reading of minutes at the beginning of each meeting.

If no alteration is asked for by the delegates within the forty-eight hours immediately following the circulation of the draft minutes, the text will be considered as approved and deposited in the archives.

November 20, 1922.

No. 3.

Minutes of the Second Plenary Session, November 21, 1922, at 4 P.M., under the presidency of Lord Curzon.

Present:

British Empire.

The Marquess Curzon of Kedleston (*in the Chair*).
Sir Horace Rumbold.

France.

M. Barrère.
M. Bompard.

Italy.

Marquis Garroni.
M. Lago.

United States of America.

Mr. Child.
Mr. Grew.

Japan.

Baron Hayashi.
Mr. Otchiai.

Greece.

M. Veniselos.
M. Caclamanos.

Roumania.

M. Duca.
M. Diamandy.

Kingdom of the Serbs, Croats and Slovenes.

M. Nintchitch.
M. Rakitch.

Turkey.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

British Empire.

Sir William Tyrrell.
Sir Adam Block.
Major-Gen. Burnett-Stuart.
Captain Pound, R.N.
Mr. Malkin.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Major McCleod.
Mr. McClure.
Captain Ashley.

France.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. Bargeton.
M. Serruys.
M. Bexon.
M. Corbin.
M. de Percin.
M. Barois.
Lieut.-Col. Courtin.
Commandant de Lamoricière.
Captain d'Astier.

Italy.

M. Arlotta.
M. Guariglia.
M. Nogara.
M. Ciamarra.
M. Guarnaschelli.
Colonel Vitale.

United States of America.

Mr. Amory.

Japan.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

Greece.

General Mazarakis.
M. Dendramis.

Roumania.

Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Christitch.
M. Antitch.

Turkey.

Munir Bey.
Zekiai Bey.
Moukhtar Bey.
Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

Lord Curzon wished to make some explanations in regard to the rules approved in the morning. Article 2 provided that the plenipotentiary delegates might be assisted by technical delegates or experts, and also by secretaries, interpreters and stenographers. It was most important that the number of persons accompanying the plenipotentiaries should be limited as much as possible.

Ismet Pasha admitted that his statements at the morning meeting had not been fully understood. He renewed his general reservations and protests, especially on the subject of articles 1, 2 and 3 of the draft rules. The Powers which were to take part in the negotiations had been enumerated in the note of the 23rd September from the three Allied Powers, and also in the reply of the Turkish Government of the 4th October; and the Government of the Grand National Assembly of Turkey had given its representatives full powers accordingly. The Turkish delegation therefore announced that they were unable to negotiate with third Powers, and added that the delegation would take part in the debates with their three plenipotentiary delegates.

Lord Curzon said that he had listened with the greatest respect to the remarks of the Turkish delegation. He considered it, however, inadmissible to reopen the discussion on a question which the conference had regarded as settled. The impression of the conference at the morning session had without doubt been that the draft rules submitted to the delegations were approved. The Turkish delegation, which had asked to be treated on a footing of perfect equality with the other delegations, now claimed a privileged situation. They wished to have three plenipotentiary delegates, while the other Powers were only represented by two. All he could do was to take note of the protest made by the Turkish delegation, but he was unable in any way to accept the reopening of the discussion, which had been closed.

M. Barrère said that, despite his desire to take the fullest account of the legitimate protests of the Turkish delegation, he could not do otherwise than support Lord Curzon's remarks.

Marquis Garroni also agreed with the opinion of M. Barrère and Lord Curzon.

Ismet Pasha said that he did not solicit any privileged situation or special treatment, but based his claim upon the decision taken in the morning to divest article 1 of any political character. On that condition only the Turkish delegation had, in the preceding session, accepted the draft submitted to them, and since the draft had not been modified in consequence, the Turkish delegation repeated their protest on the point, and considered the draft as not adopted by them. He thought that this was a question of principle which could not be settled by a majority vote.

Lord Curzon said that the point of view of the Turkish delegation would be placed on record. He had no intention whatever of depriving the Turkish delegation of the formal right to express their opinion. He proposed to the conference, after having registered the opinion of the Turkish delegation, to pass to the order of the day. He requested the delegations to be good enough to express their general views on the questions which the conference had to solve; it seemed to him opportune to institute a general exchange of views before broaching the work of the commissions.

M. Barrère made the following statement:—

"The mission with which the representatives of the Powers assembled here find themselves charged is one of the highest among those which fall to diplomacy. From this conference the return of peace in the East should ensue. That is the work which it is indispensable to accomplish with a view to the re-establishment of the prosperity of the world, which we cannot conceive apart from general pacification.

"After so many years of trouble and war, so much loss of human life and of material, so much suffering of every kind, humanity aspires to the return of tranquillity and confidence. Nowhere is this task more urgent than in the regions which had just undergone the horrors of war, even before the European war was let loose by the criminal ambition of those who wished to establish their hegemony in Europe.

"It is time to return to the normal laws governing the existence of peoples and to restore the order and tranquillity without which nations can neither work nor live.

"To accomplish this task recourse must be had to all the resources of diplomacy, that beneficent factor in international relations which is based on experience and knowledge of affairs. These are the methods, Gentlemen, under which we will work here. We are concerned to restore security and confidence, which cannot exist without respect for the immutable laws of justice and right; we will approach the grave problems placed before us with the desire and the will to devise a permanent solution for all the legitimate interests involved.

"The Eastern problem interests not only the peoples directly concerned. It has a general bearing and is connected with the maintenance of the peace of the world. We must never lose sight of this aspect of the question in the course of our common labours.

"To lead so arduous a task to a successful conclusion we shall need the entire co-operation and goodwill of all members of the conference. I feel sure we shall find them united with a single mind in collaborating for the establishment of an equitable peace, founded on the mutual respect of rights and legitimate interests, which will thus consecrate the principle for the sake of which the country which I have the honour to represent here has sustained, together with her allies, the most cruel of wars.

"Such, Gentlemen, are the sentiments with which the French delegation will be inspired in the deliberations now about to open. They recognise that the national interests which they have to preserve are identical with those of many others, and that there is nothing in them incompatible with respect for those legitimate rights which may be asserted here.

"Gentlemen, I see around me many eminent and experienced diplomats. Permit me to find in their presence a precious pledge for the issue of these negotiations. The virtue of diplomacy is the art of conciliating divergent interests, settling disagreements, preparing peace and not war. Diplomacy does not, thank God, seek publicity; it is repugnant to diplomacy to do business in the market place, to introduce into its work the fluctuations of an opinion which is apt to reject proposals one day and approve them the next; diplomacy seeks, in a word, to cultivate good sense, foresight and common-sense. This is why I found great hopes, in these memorable and difficult circumstances, on the activity and clear-sightedness of diplomacy in the work of pacification which we are seeking to realise."

Marquis Garroni made the following statement in Italian :—

"In a conference for the purpose of concluding peace, it seems to me that it should be agreeable to hear the Italian language, which recalls in a special way the language of Rome, the mother of international law. That law has been constrained by human imperfection to devote itself to the study of war conditions, but it has interested itself far more—for the welfare, progress and civilisation of mankind—in all that concerns humanity, progress and civilisation. After long years of warfare, there now prevails among all peoples the longing to see arms laid aside, the desire and the need to heal by peace the consequences of war.

"We are to-day the spokesmen of this hope and this desire—all united, one must certainly hope, in a single purpose, that of attaining the object for which we are assembled here.

"Let a spirit of peace, therefore, reign in this room, and let us all agree to work closely together in order to encompass the desired end on the soil of this hospitable country, which has always held high the banner of peace.

"To the President of the Helvetic Confederation, to our allies, to all the representatives of the various States assembled here, I offer my cordial and respectful greeting."

Lord Curzon, in the name of the British delegation, said that he cordially echoed the sentiments so eloquently expressed by his French and Italian colleagues.

Baron Hayashi said that the Japanese delegation had the keenest desire to co-operate in the work of the conference, and thus to ensure the re-establishment of definite peace; they had no doubt that the spirit of conciliation with which the whole assembly was animated would smooth out any difficulties which might arise.

(*The meeting rose at* 4·40 p.m.)

SECTION 2.

Meetings of the First Commission.

No. 4.

Territorial and Military Commission.

Minutes of the First Meeting, November 22, 1922, at 10·30 a.m., *under the presidency of Lord Curzon.*

Present :

British Empire.
The Marquess Curzon of Kedleston (*in the Chair*).
Sir H. Rumbold.

France.
M. Barrère.
M. Bompard.

Italy.
Marquis Garroni.
M. Lago.

United States of America.
Mr. Child.
Mr. Grew.

Japan.
Baron Hayashi.

Greece.
M. Veniselos.
M. Caclamanos.

Roumania.
M. Duca.
M. Diamandy.

Kingdom of the Serbs, Croats and Slovenes.
M. Nintchitch.
M. Rakitch.

Turkey.
Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

British Empire.
Lieut.-Col Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.

France.
Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. Bargeton.
M. Corbin.
M. de Percin.
M. Barois.

Italy.
M. Arlotta.
M. Guariglia.
M. Nogara.
M. Ciamarra.
Colonel Vitale.

United States of America.
Mr. Amory.

Japan.
Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

Greece.
General Mazarakis.
M. Dendramis.

Roumania.
Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.
M. B. Christitch.
M. Antitch.

Turkey.
Munir Bey.
Zekiai Bey.
Moukhtar Bey.
Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.
Mr. Spring Rice.
Mr. Wicks.

France.
M. Lagarde.

ITALY.
M. Indelli.

JAPAN.
Mr. Hotta.

ROUMANIA.
M. Constantinesco.

UNITED STATES OF AMERICA.
Mr. Belin.

GREECE.
M. Collas.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Milanovitch.

TURKEY.
Rechid Safvet Bey.

Interpreter: M. Camerlynck.

LORD CURZON opened the meeting and proposed to start immediately the discussion on the frontiers of Thrace. He requested the Turkish delegation to state their point of view on this subject.

ISMET PASHA said that the frontier of Thrace claimed by Turkey from the Black Sea to the mouth of the Maritza was that defined by article 7 of the Treaty of Constantinople dated the 29th April, 1913. He also demanded a plebiscite for Western Thrace.

LORD CURZON enquired whether the Turkish delegation did not wish to justify their demands by historical, geographical, political and ethnographical arguments. The conference could not make a pronouncement on this question after having heard a mere statement of claims; it wished to know on what grounds these demands were based.

ISMET PASHA replied that the necessity for including within the frontier a small tract of country situated to the west of the Maritza arose out of the following considerations :—

1. In their note of the 23rd September, 1922, and by the Convention of Mudania, the Allied Powers had accepted the retrocession to Turkey of Eastern Thrace, including Adrianople.

Seeing that the ancient town of Adrianople was situated on the left bank of the Maritza, the restoration of Eastern Thrace to Turkey also involved the restitution of that part of Adrianople. The fact that Adrianople had been specifically named in this note clearly indicated the intention to restore to Turkey at the same time the station of Adrianople, the suburb of Karagatch, and also the properties belonging to the inhabitants of Adrianople and of its suburb, whence the citizens derived their subsistence. This was what the Government of the Grand National Assembly of Turkey had understood.

2. Further, since Adrianople was being returned to Turkey it was essential that the territory comprising the Kouleli Bourgas–Mustapha Pasha section of the railway connecting Adrianople with Constantinople should also be handed back to her.

In order to guarantee the security of Adrianople and of this section of railway, and in order to maintain friendly and cordial relations with Turkey's neighbours, it was indispensable that the frontier should be removed to an adequate distance from the town of Adrianople and from the railway line.

3. The great majority of the population in the district claimed to the west of the Maritza was Turkish.

LORD CURZON asked Ismet Pasha to give the conference some further explanations in support of his statement that the greater part of Thrace west of the Maritza was Turkish in character. In particular, it would be useful if the Turkish delegation were to indicate precisely to what districts they were referring in their statement.

ISMET PASHA said he would reply to this question after consultation with his expert advisers.

LORD CURZON said that the Turkish claims raised two points: firstly they suggested that the frontiers of Eastern Thrace should be those of 1913, and secondly that a plebiscite should be held in Western Thrace.

ISMET PASHA said that in the territory which he was claiming in the Demotika district, the Turks had been in a majority both before and after the Balkan wars, and that economic considerations also were on the side of the Turkish claims.

LORD CURZON invited Ismet Pasha to lay before the conference figures in support of his statement.

ISMET PASHA, in addition to the ethnological arguments which he had just put forward, urged the necessity of establishing peace and quiet in Western Thrace, in order to prevent the frontiers of Eastern Thrace from being exposed to constant disturbance. He added that he would have more to say on this question later.

LORD CURZON enquired whether Turkey claimed for herself the whole of Western Thrace.

ISMET PASHA replied that he was not asking for the possession by Turkey of Western Thrace.

LORD CURZON expressed the desire to know the limits of Western Thrace as understood by the Turkish delegation, when they asked for the plebiscite there.

ISMET PASHA promised to indicate these limits with geographical details, after consultation with his experts.

LORD CURZON invited the delegations to state their views on the demands put forward by the Turkish delegation.

M. VENISELOS said that in his opinion Greece was the country most directly interested in the question under discussion, and that in consequence it was his duty to make the first reply to Ismet Pasha's statements.

Before examining the arguments brought forward by the president of the Turkish delegation, he wished to set forth the moral aspect of the question. In this connection, he outlined the circumstances which had brought Greece before the present conference, which was destined to conclude peace with Turkey. He thought that one should not apply the same scale of values to the State which had precipitated the war and to the State which had been attacked. It was not Greece who started the war which was just finished, although she might have been driven to such a step by the desire to realise her national unity. Aggression came from the other side. At the beginning of the world war, neither Turkey nor Greece took part in the fighting; it was Turkey who first engaged in the war on the side of the aggressor. Greece was bound to Serbia by a treaty of defensive alliance. Immediately upon the outbreak of hostilities, she notified the Central Powers that she would observe a benevolent neutrality towards Serbia by allowing the transport over her territory of war material destined for the use of her ally, and also that she would not tolerate any aggression by Bulgaria against Serbia. Internal complications had not allowed the Greek Government to stand by its agreements at the moment when the *casus fœderis* occurred. The then reigning King, in violation of the Constitution and in spite of the majority accorded by Parliament and by the country to the head of the Government, refused to agree to the intervention of Greece in conformity with her treaty of alliance; civil war was necessary in order to allow Greece to fulfil her engagements and to wipe out the shame which would have weighed upon her if she had betrayed her ally.

By this statement he wished to show that no responsibility for the war lay on Greece. Greece claimed the honour of having carried out to the end the duty of a faithful ally; and she claimed this with all the more force, since the operations in which she had engaged had led to the present disastrous results.

The Greek Government might be asked why it had laid claim to Turkish territories. He thought it his duty to state that his Government had never stipulated in advance for territorial compensations in return for its intervention. Greece only entered the war in order to keep her promise towards her ally and in order to defend the principles upheld by the Allies, and entirely approved by himself. He had not, of course, lost sight of the fact that, if the war ended in a complete victory, it would be fair that Greece's territorial claims should be taken into consideration, always assuming that they were recognised as just. The Greek Government had asked for Eastern Thrace, for Smyrna and its hinterland, because it was convinced that its claims were in conformity with the principles for which the Allies had fought. Indeed, in all these regions, there was no Turkish majority, at any rate, up to the end of the Balkan wars. Since that time, notably in Eastern Thrace, the Bulgarians had been expelled and replaced by Mussulmans from Bosnia. By this means the racial proportions had been slightly altered; but even after these changes the Turks had not obtained an absolute majority.

In Smyrna also there was not a Turkish majority. In order to show the absurdity of the Greek claims in Anatolia, the unity of Asia Minor had often been quoted. He did not consider this argument sound. Asia Minor was somewhat larger than the whole Balkan Peninsula south of the Danube. Why had it been possible to set up several States in the Balkan Peninsula and why was it not possible to form three States in Asia Minor: Armenian in the east, Greek in the west, and Turkish in the remainder? In compliance with the Allies' request, Greece had resigned herself to the loss of Smyrna and Eastern Thrace.

Another argument could be brought forward; some months before the war, in the early months of 1914, the Ottoman Empire, although at peace with Greece, had started to expel the Greek population by force from its territory, first from the coast of Asia Minor and later from Eastern Thrace. Four hundred and fifty thousand Greeks had already been forced to take refuge in Greece. These measures continued and the Greek Government felt that they were intolerable. That was why he (M. Veniselos), speaking from the tribune of the Greek Parliament, had been forced to address to the Ottoman Government what was almost an ultimatum. It was, in fact, unbearable for the Greek Government to submit to the continuance of these expulsions. They resulted in great masses of the population being thrown back towards Greece, whose territory was too small to lodge and nourish them. At the invitation of mutual friends, an interview had then been arranged between the Grand Vizier and himself at Brussels for the purpose of putting an end to these forcible expulsions, and of devising a scheme for an exchange of populations between the two countries. He was at Munich, on his way to Brussels, when the war broke out, and had to abandon the proposed interview; the Grand Vizier had, moreover, informed him that he was unable to proceed to Brussels.

In stating these facts he had no intention whatever of being disagreeable to the Turkish delegation, and if by chance a hard word should escape him, he was ready to withdraw it. But facts were facts, and it was necessary to take them into account. Since 1914 the Turkish Government, in order to rid itself of non-Turkish population, had resorted to other means, which, if not massacres, were, at any rate, deportations and expulsions *en masse*. Greece was thus threatened with having to furnish the means of subsistence to 1,000,000 refugees, and that number might perhaps become even greater.

On the other hand, in order to justify Greece's action in going to Smyrna and Asia Minor, he wished to observe that his country had not undertaken operations on its own initiative. The Allied Governments had recognised the validity of his arguments and claims, and even before giving their consent to the cession of Smyrna to Greece the Principal Allied and Associated Powers had invited her to intervene in Asia Minor. It was true that the war began in the name of all the Allies and had been continued without the Allies' assent after the return of King Constantine. The return of the King had broken up the alliance, and thenceforward the combat had continued solely as a duel between Greece and Turkey. Nevertheless, during this period no proposals of peace had been made which could fairly be said to have been rejected by Greece and accepted by Turkey. Without doubt it was folly on Greece's part to continue the war in the interior of Anatolia, hundreds of kilometres from her military bases. Greece had paid the penalty for her mistake by the loss of Asia Minor; she had also lost Eastern Thrace, not in consequence of military operations, but by the armistice of Mudania. The army, which had refused to fight in Asia Minor, on its return to Athens had carried out the revolution and reorganised itself with the object of saving Eastern Thrace. When he had been asked to represent his country at the peace conference, he had said that, although he had retired from political life, he would undertake this mission, but only on condition that the Greek Government accepted the grievous sacrifice of Eastern Thrace in compliance with the desires of the Allies. He had believed, and still believed, that as he had accepted the Allied note of the 23rd September, whereby Greece was to cede Eastern Thrace as far as the Maritza, no new demands would be made of him nor fresh sacrifices required of him. Turkey was now putting forward new claims, firstly for the direct extension of Turkish sovereignty on the right bank of the Maritza, and, secondly, for the holding of a plebiscite in Western Thrace, the limits of which, incidentally, the Turkish delegation had not yet defined. He regretted this omission, for it was very important for him to know exactly what was meant by "Western Thrace."

The fate of these regions had been settled by a treaty which was completely independent of the treaty of Sèvres. The task of the conference was to recast this latter treaty, not to renew discussion on other treaties, signed and ratified by the Allies and actually in force. The tract of country in question was dealt with by the Treaty of Neuilly, with which the Angora Government had nothing to do, especially as before the war this territory did not belong to Turkey. This region had been ceded by Turkey on her own account during the war, as a result of negotiations with Bulgaria, and not under the pressure of military operations or of a defeat in the field. That proved that this territory had not the importance for Turkey which Ismet Pasha now attributed to it. The Turkish Government could not now assert that this territory was indispensable to it, seeing that it had previously renounced it of its own freewill.

With regard to the station of Karagatch, it must be remembered that this station was very important for the Bulgarian traffic towards Dedeagatch, but not for Adrianople, which was connected by rail with its natural commercial outlet, Constantinople. Greece was ready to give the most precise international guarantees to Bulgaria with a view to the traffic of this railway never being interrupted.

Turning to the ethnical arguments advanced by Ismet Pasha in regard to the Demotika region, M. Veniselos declared that the proportion of Greeks to Turks was at least two to one. He was ready to supply the conference with precise statistics on this point. The question at issue was the situation prior to recent events, for the inhabitants of Eastern Thrace had had to flee towards other parts of Greece, even as far as Macedonia; and a large number of them had remained in Western Thrace, thus increasing still more the numerical superiority of the Greeks there.

Ismet Pasha had not defined the economic arguments which he had mentioned in favour of his case. There might possibly be some Turkish properties in that district, and these the Greek Government would of course respect. The fact remained, however, that the economic life, industry and trade there were largely in the hands of Greeks.

With reference to the plebiscite to be held in Western Thrace, the Turkish delegation had first advanced the ethnical argument and then the necessity for ensuring the security of Eastern Thrace. He regretted that Ismet Pasha had not exactly defined the limits of what he meant by Western Thrace. If he referred to that part of Western Thrace which had remained Bulgarian under the Treaty of Neuilly, it was undeniable that the majority there was Turkish. On the other hand, in the Greek part scarcely one-half of the population was Turkish.

The argument based on the security of Eastern Thrace could not be sustained; if it were taken into account, there would be no reason why Eastern Macedonia should not be ceded in order to protect Western Thrace, Central Macedonia to protect Eastern Macedonia, and so on as far as the sea. But it must not be forgotten that considerable ethnical changes had now taken place in this region. These changes were in no way due to the action of Greece. The fact was that the inhabitants of Eastern Thrace had been forced to leave their native land, which had been inhabited and enriched by their ancestors for twenty centuries, long before the Turks came to Europe. It could not be said that these people really left under direct pressure from the Government of Angora, seeing that that Government had not yet taken possession of the country; they had left because they knew that once the Turks arrived there, their continued presence would not be tolerated, and they would be obliged to leave their homes like their compatriots in Asia Minor, who had fled, only carrying away with them what they had on them, and often even less. The arrival of thousands of refugees had changed the ethnical features of Western Thrace, and the bare Greek majority which already existed there had greatly increased; but one really could not say that Greece had brought about this change deliberately and by artificial means. The change had been due to the arrival of the many Greeks who had left Eastern Thrace in search of a refuge in Western Thrace, and in the endeavour to begin a new life. It would really be too cruel, it would be unthinkable, to call in question the bases of the Treaty of Neuilly, with the inevitable result that these people would once more be obliged to leave *en masse* for another destination. He also wondered where these unfortunate people could find refuge. Greece, a country of 5,000,000 inhabitants, really could not be asked to house and maintain 1,000,000 refugees; still less could this be demanded of her if her territory was to be further restricted, for that would bring the Greek Government face to face with insoluble problems, social, political and economic. Greece had already paid for her faults, and no more could be asked of her. She had loyally complied with the proposals drawn up by the Allies at Paris and embodied in their note of the 23rd September. She could say that she had done all she possibly could in order to achieve the peace which she so earnestly desired.

ISMET PASHA reserved the right to reply to M. Veniselos's statement.

M. NINTCHITCH said that the question now under review was the most delicate of all those submitted to the conference. It did not interest his country directly, but Serbia was interested in the question indirectly to the highest degree. The issue was to re-establish a real peace and to create an atmosphere of mutual confidence in the Balkan Peninsula, which was the indispensable condition for good neighbourly and friendly relations. The solution of this question was equally important for Turkey, in order that all grounds for apprehension should be removed as far as possible from the minds of her neighbours. The S.C.S. delegation, in accordance with the conciliatory attitude which their Government had constantly adopted since the beginning of the Eastern crisis, acceded to the Powers' proposal as set forth in the note of the 23rd September that the frontier of Eastern Thrace should be the line of the Maritza, and in conformity with that note they asked for the establishment of a demilitarised zone along the north and west frontiers of Eastern Thrace. The Turkish delegation, in his opinion, had put forward proposals which could not be accepted. The Maritza formed a natural frontier, which gave Turkey great security. By claiming territory on the other side of this river, Turkey would create among her neighbours suspicion and anxiety. The fact that Turkey had ceded this district to Bulgaria voluntarily and without war considerably weakened the grounds for the demand made by Ismet Pasha.

On being asked by Lord Curzon to explain what he meant by a demilitarised zone, M. Nintchitch said that he only wished to suggest a principle. What he had in mind was a zone running from the Black Sea to the Ægean along the Turkish frontier, the limits of which would be determined by experts, in agreement with the Turkish delegation.

The proposed plebiscite in Western Thrace, if its object were the determination of the number of Turks there in order to guarantee their rights, appeared unnecessary, since Greece was already bound by treaty to respect the rights of the minorities in her territory. If the Turkish delegation desired to establish by means of the plebiscite an autonomous political organisation, the Serbian delegation thought such complications would in no way advance the cause of peace in the Balkans, but rather prepare future troubles. The Treaty of Neuilly had been ratified and was actually in force. The Serbian Government was entirely opposed to any modification of this treaty, which, like all the other peace treaties, it regarded as the charter of the Europe of the present day.

The railway on the right bank of the Maritza was most important for all the neighbouring countries, Bulgaria, Turkey and Greece. The Greek Government had no desire to oppose the utilisation of that railway for the traffic of the three interested States. For this purpose he thought that the internationalisation of the railway would be in the interest of all the three countries concerned. He was most anxious to ensure good neighbourly relations between the Balkan States, who should at last be able to devote themselves freely to the fruitful works of peace.

M. Duca said that Roumania was animated in this matter by an eminently pacific and conciliatory spirit. He agreed with M. Nintchitch. This being so, he did not think it necessary to repeat the reasons why he thought that the best frontier for Eastern Thrace was the line of the Maritza.

The Roumanian delegation was not in favour of a plebiscite, which would merely make Western Thrace an apple of discord in the Balkans.

As regards the right bank of the Maritza, the Roumanian delegation, like Ismet Pasha, thought it necessary to guarantee the security of that district; but to his mind the best way of ensuring this security was not to extend Turkish sovereignty beyond the Maritza, but to demilitarise a zone from the Black Sea as far as the Ægean, the limits of which would be determined by the experts.

Lord Curzon said that the speeches just delivered made quite clear the points of view of the various delegations on the Thracian question. It was natural that the Turkish delegation should not reply there and then to the arguments brought forward. Meanwhile it would be well to hear the Bulgarian delegation, who, in accordance with the note of the 23rd September, were to have opportunity for setting forth their claims as regards an economic outlet on the Ægean.

Ismet Pasha agreed that the Bulgarian delegation should be heard on the question of Bulgaria's access to the Ægean, especially as that matter did not directly affect Turkish interests. He would reply *seriatim* to the arguments used by the various delegations, but he wished first to learn the views of the other delegations, so that he could examine all the arguments as a whole.

On the proposal of Lord Curzon, it was decided to hear the statement of the Bulgarian delegation in the afternoon.

No. 5.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Second Meeting, November 22, 1922, at 4 P.M., under the presidency of Lord Curzon.

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir Horace Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.

BULGARIA.

M. Stambouliisky.
M. Stanciof.

Also present:

BRITISH EMPIRE.

Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.

FRANCE.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Bargeton.
M. Corbin.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
M. Nogara.
M. Ciamarra.
M. Guarnaschelli.

UNITED STATES OF AMERICA.

Mr. Amory.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

GREECE.

General Mazarakis.
M. Dendramis.

Roumania.

Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Christitch.
M. Antitch.

Turkey.

Munir Bey.
Moukhtar Bey.
Shukri Bey.
Tevfik Bey.

Bulgaria.

General Savof.
Mdlle. Stanciof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.
Mr. Wicks.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

Lord Curzon said that at the previous meeting it had been decided to hear the Bulgarian delegation state their case regarding the outlet for Bulgaria on the Ægean Sea, in accordance with the terms of the Paris note of the 23rd September.

The Bulgarian delegation having entered the room—

M. Stambouliisky read the following statement :—

"M. le Président,

"Gentlemen,

"I must thank you for the honour of being permitted to expose to you a question of vital importance to Bulgaria. I will try not to weary you with needless dissertations. I have already had the honour to outline the Bulgarian point of view in my letter to the Genoa Conference, a copy of which I will annex to the documents which will later on be presented by my delegation to the members of the conference.

"The Eastern question, which your Excellencies are in process of considering, affects very closely Bulgaria's interests on the following points:—

"1. The Bulgarian outlet on the Ægean Sea.
"2. The fate of refugees from the two parts of Thrace.
"3. The fate of minorities in the two parts of Thrace.
"4. Our territorial integrity as a disarmed nation, in face of the situation recently created.
"5. The régime of the Straits.

"I will only dwell on the first point now, in the hope that you will later on give me your benevolent attention in regard to the others.

"You are aware, gentlemen, that before the cessation of hostilities in the Near East, and before the Mudania decisions, Bulgaria had expressed the desire to see Eastern and Western Thrace constituted as an autonomous region, placed under the control of the League of Nations or of the Great Allied Powers, to whom Bulgaria and Turkey ceded this same region by the Treaties of Neuilly and Sèvres respectively. I need not remind your Excellencies that under the Treaty of London of 1912 and the Treaty of Bucharest of 1913, the whole of Thrace belonged to Bulgaria.

"Later on we ceded Eastern Thrace to Turkey by a Turco-Bulgarian Agreement, while Western Thrace with a corridor to the east of the Maritza was left to Bulgaria by the treaties of 1913 and 1915. Bulgaria cannot regret having formulated the principle of autonomy in respect of the whole of Thrace. We think indeed that such a solution of the question would have been the best and fairest, since it would have assured liberty of existence for all the elements which make up the population of Thrace (Turks, Bulgars, Greeks, Armenians and Jews), not one of which forms by itself a really important majority. The autonomy of Thrace would moreover have contributed largely towards consolidating peace in the Balkans and ensuring the freedom of the Straits and the efficacy of the Bulgarian outlet to the sea; and above all, as far as Europe is concerned, it would in no way have affected the integrity of the peace treaties.

"However, the Allied Powers have already consented to the revision of the Treaty of Sèvres, as regards Europe, by giving back Eastern Thrace to Turkey.

"We have no sentiments of animosity towards the Turkish people; on the contrary we rejoice at their successes. The Turkish people is worthy of our admiration and of that of the whole world. It deserves to be rewarded and guaranteed.

"The Bulgarian people, although seriously affected by the Treaty of Peace, has chosen another method, namely, an attitude of complete loyalty, in the firm conviction that that attitude (of which all Europe has witnessed the satisfactory results) would be appreciated at the right moment.

"In my opinion that moment has now come; I think it necessary to make every effort to avoid anything which might make nations think that they cannot obtain the indispensable satisfaction of a legitimate desire without first having bathed in their own blood. Lastly, I think one must not resort to half measures for the settling of great questions and render war so to speak chronic, especially in the Balkan Peninsula.

"In these circumstances, the retrocession of Eastern Thrace to Turkey should have been followed by the retrocession of Western Thrace to Bulgaria. This retrocession seems to be dictated by logic, by justice, and by the very interests of both Balkan and European peace. But I am convinced that the eventual accomplishment of such retrocession would be considered as a terrible blow to the Treaty of Neuilly.

"That is why we Bulgars, in our effort to remain loyal to the end, only make the following request: If you will not consent to constitute Western Thrace as an autonomous region, would it not be possible to return to the situation as it was at the time of the signature of the Treaty of Neuilly, including article 48 thereof? What I mean is this: We ask that Western Thrace should remain at the disposition of the Great Allied Powers, and that they invest it with a régime which would really transform it into a neutral zone: our railway system would extend across it; on its shores we would construct our ports, which would serve on the one hand the export and import trade of all civilised States of the West and beyond the seas, and on the other hand Bulgaria and her neighbours, Roumania, Jugoslavia, Ukraine, &c.

"In this way the whole of Western Thrace, restored to the conditions contemplated by article 48 of the Treaty of Neuilly and provided with a régime of absolute neutrality, would constitute a region thoroughly fit to enjoy an independent administration, and offering all desired guarantees in its internal economy.

"Under these conditions only the Bulgarian outlet to the Ægean Sea will not be exposed to threats either on the east or on the west, and our railways and ports will be capable of development to the point of satisfying the evergrowing needs of commerce and industry, and of causing the closest relations to be established by way of the Ægean Sea with the whole civilised world.

"In conclusion, I consider it my duty to thank your Excellencies once more for the honour which you have done me in giving me your attention to-day.

"I venture to hope that the technical details and other necessary documents bearing on this question, which my delegation will have the honour to submit to the conference, will be examined by the appropriate commission.

"I look forward, not only with hope, but also with full confidence to this modest and legitimate desire of Bulgaria being satisfied by the honourable conference. The Bulgarian people is making a supreme effort to free itself for ever from the numerous and pernicious prejudices of the past, and is fully resolved to live in peace and complete accord with its neighbours and with all nations. By granting my request you will give this people the opportunity to breathe freely, to develop itself in all tranquillity and to enter definitely on the way of progress and of civilisation.

"I wish to end by repeating what I had the honour to say at Genoa.

"It is not only impossible, but also psychologically inadmissible, that the access to the Bulgarian outlet on the sea should pass across Turkish or Greek territory.

"As you see, gentlemen, we plead for the inviolability of the Peace Treaty. We even go further; we insist that the treaty be fully and exactly applied in the form in which it was signed by us with you.

"I beg you not to leave us any grounds on which new passions and dissensions may arise between two sorely-tried nations, Bulgaria and Greece, but to establish by your decision (which will no doubt be inspired by the highest sentiments of justice) conditions which will allow these two neighbouring nations to live in sincere harmony and complete accord.

"This state of things can only contribute to the peace of the world."

Lord Curzon congratulated M. Stambouliisky, on behalf of the conference, on the clearness and compression of his statement. He invited the Turkish delegation to acquaint the commission with their views on the arguments developed at the preceding meeting.

Ismet Pasha said that the Bulgarian delegation had been heard in accordance with the decision taken by the commission, but he did not know that this hearing arose out of an agreement reached at Paris. As regards the purport of M. Stambouliisky's statement, he reserved the right to express his views at a suitable moment.

The Serbian delegation had proposed as the frontier of Turkey in Europe the line of the Maritza, and also the creation of a demilitarised neutral zone to the north and west of Eastern Thrace. In response to an enquiry from Lord Curzon, M. Nintchitch had stated that he merely wished to raise a question of principle, and said that the neutral zone in question could be defined later on by a commission of experts. The Turkish delegation asked that first of all this proposal should be put in a precise form, indicating clearly on whose territory the demilitarised neutral zone was to be established. Before answering on the whole problem, the Turkish delegation wished to obtain further information on this subject.

Lord Curzon said that the Serbian and Roumanian delegations had simply enunciated a principle; it would be for the experts to examine its practicability, if required to do so. He would be glad to hear the opinion of the Turkish delegation before stating the views of his Government.

Ismet Pasha thought that the question at issue was mainly territorial; and the military aspect of the problem should be examined also. For the moment the question was being discussed from the territorial and boundary point of view only. He would, therefore, be grateful if the Serbian delegation would be so good as to define their proposal further. He thought it indispensable to know explicitly and in advance all the proposals which the delegations wished to make, and he hoped the commission would find no difficulty in recognising the reasonableness of his request. If the other delegations had no further remarks to lay before the commission, he proposed to adjourn the discussion till the next day, so that the Turkish delegation might have the necessary time to examine the proposals in their entirety.

Lord Curzon said he did not think that any points put before the conference that day could have come as a surprise to the Turkish delegates. He could have understood if difficulty had arisen over the statement made by M. Stambouliisky, which had been heard that afternoon for the first time. But that was not the point at issue. Three speeches had been made in the morning in reply to the Turkish claims. The Turkish representatives had challenged these statements; they had asked for an opportunity to reply, and had undertaken to do so; their interests were at stake, and they knew more about the matter than anyone else. He must, therefore, express his extreme surprise that they were not ready. He was loth to waste the labours of the conference by proposing another adjournment; in fact, he declined to do so, and must proceed with his own remarks; but he would have been able to speak with more authority and impartiality had he been in possession of the Turkish arguments. He therefore wished to suggest with all courtesy that the Turkish delegation should do the conference the honour of delivering as soon as possible their replies on a subject which must be thoroughly familiar to them.

Ismet Pasha said that when he had not seen in advance the documents and proposals submitted to the commission, and had not had the necessary time to study and analyse them, he could not broach their discussion. His purpose in asking for an adjournment was to examine the question from a general point of view; this request seemed to him quite natural, and was also consonant with the rules of the conference. He asked the commission to afford him the possibility of working freely and methodically.

Lord Curzon said that that was also his desire. The most methodical arrangement was that when a speech was delivered the reply should be delivered immediately after; if that were not possible, the next most methodical plan was for the debate to be continued. That was the course he now proposed to follow.

He would devote his observations to the widest aspect of the Turkish case put forward that morning. He had had the advantage of consulting with his colleagues, the representatives of the inviting Governments. What he had to say represented their united opinion. They had heard that morning the remarks of the representatives of three other Governments. With a great deal of what they said he was also in agreement. The observations he was about to make therefore represented a very considerable body of united opinion among the Powers present.

Four questions had been raised :—

1. The western frontier of Eastern Thrace.
2. The demilitarised zones on the north or west of Eastern Thrace.
3. Western Thrace.
4. Access to the Ægean Sea for Bulgaria.

On the first question, the claim put forward by the Turkish delegation that morning was that the new treaty should restore the Thracian boundary of 1913.

He would like the conference to be quite clear as to the juridical position of the matter, as defined by the treaties. An attempt was being made to deal with the treaties in an extraordinarily disrespectful manner.

Up to 1913 the whole of Western Thrace belonged to Turkey. The greater part was ceded to Bulgaria in 1913 by the Treaty of Bucharest. In 1915 an additional portion of Western Thrace, including Karagatch and Demotika, was ceded by Turkey to Bulgaria. By the Treaty of Neuilly in 1919, Bulgaria had renounced in favour of the Principal Allied Powers the whole of Western Thrace, including the part ceded by Turkey to Bulgaria in 1915. Finally, in August 1920, the Thracian Treaty was signed (but not ratified), by which the whole area was handed to Greece. Western Thrace had since that time been occupied and administered by Greece. That was the position, as he understood it, as laid down by the treaties.

The Turkish delegates now came forward with the claim to recover the pre-war frontier. That morning the Turkish delegates had listened to a number of arguments against this position. These were the arguments to which he hoped the Turkish delegates would be able to give a reply; he would summarise them, and state what appeared to be the relative degree of their importance.

The first argument, arising out of the treaties, was employed with great force by M. Veniselos—that the territory now claimed by Turkey had nothing whatever to do with the Treaty of Sèvres, and had not belonged to Turkey before the war, except a small part voluntarily ceded to Bulgaria in 1915. Its fate was already decided by the Treaty of Neuilly, from which the Allied Powers had not the slightest intention of departing.

The second argument, which had been used with much force by M. Nintchitch and supported by M. Duca, was the geographical argument that the Maritza was the best natural frontier, far better than any artificial frontier which could be created, and one which would provide, from the point of view of security, as good a boundary as could be found.

The third point, which had not yet been made by anybody, but to which he attached very great importance, was that the Maritza frontier was the frontier consistently put forward by the Turks themselves. Their present demands were entirely new. All previous demands made by the Turks, such as those put forward by Hamid Bey to the High Commissioners at Constantinople, had invariably been for the Maritza frontier. When he (Lord Curzon) went to Paris, and on the invitation of the Powers drew up the note of the 23rd September, which had brought about the present conference, the Turkish case—strongly supported by the French Government, who were very familiar with the Turkish claims—was for the recovery of Thrace up to the Maritza. The words of the note of the 23rd September were as follows:—

> "The three Allied Governments avail themselves of this opportunity to state that they are favourably disposed towards the desire of Turkey to recover Thrace as far as the Maritza and Adrianople."

The Turkish reply to that invitation asked "that there should be restored to the Government of the Grand National Assembly of Turkey, Thrace as far as the western bank of the Maritza, including Adrianople." In a later note dated the 4th October the Turks said that "they had received with satisfaction the recognition of their incontestable rights in Thrace." Lastly, the Mudania Convention described the line behind which the Greeks were to withdraw, which was "the Maritza line down to the Ægean Sea." Therefore, during the past two or three months the frontier consistently claimed by Turkey had been that of the Maritza and no further.

The fourth argument employed that morning rested on ethnical and economic grounds. M. Veniselos had said that the population, before its displacement by the influx of refugees from elsewhere, which had entirely upset the balance, was predominantly Greek in the proportion of at least two to one, and he had undertaken to give exact figures. He (Lord Curzon) hoped to receive figures from the Turkish delegation too. M. Veniselos had also said that the trade and agriculture of the district were in the main Greek. These arguments would undoubtedly require detailed consideration later on.

The Turkish delegates then raised the question of the military security of their position. In this connection the proposal had been made for a demilitarised zone or zones on one or both sides of the River Maritza. The proposal took a double form. In the morning, M. Nintchitch had suggested that such a demilitarisation (by which he meant the razing of forts and the exclusion of troops, rather than neutralisation) might be effected along the northern frontier of Eastern Thrace. The Turkish delegation had quite properly and reasonably asked for a definition of the area to be demilitarised. He thought that if the idea were to be pursued it ought to be examined by the military experts in a sub-commission on which the Turks would doubtless speak with great authority. Whether it was necessary or desirable to demilitarise the frontier on the north from the Black Sea, he as a civilian could not say; but when the corner running southwards was turned, he was in a position to give a definite opinion on the line from the frontier to the sea, for the matter had been carefully considered by the inviting Powers, who were united in their opinion. Starting at a point north of Adrianople on the Bulgarian frontier, there would be a demilitarised zone for an area to be determined, of some 20 or 30 kilom. in breadth on either side of the Maritza River throughout its whole course, between Eastern and Western Thrace, down to the sea in the neighbourhood of Dedeagatch and Enos. The Turkish delegation would see at once how such a suggestion touched the question of their military security. It was clear that with the demilitarisation of Adrianople on the one side, and of Karagatch on the other, the military danger to Adrianople from the forts on the other side of the river would disappear. The matter would no doubt have to be investigated by experts, but he desired to submit the proposal as the deliberate opinion and advice of the inviting Powers as the best solution possible.

Involved in this problem were also the questions of the railway and of Bulgarian access to the sea. The Turkish delegation must remember that no part of the railway on the right bank of the Maritza from Mustapha Pasha to Kuleli Burgas was in their hands at the time of the armistice. Moreover, Karagatch was not the sole railway station of Adrianople; there was a station on the other side of the river across the bridge, connected with the main line at Karagatch. The railway, in these circumstances, could be under some form of international control by a commission or otherwise. The railway in question did not concern the Turks alone, but was equally of interest to Bulgaria and Greece. If Karagatch were taken out as the Turks proposed, a small Turkish block would be created in the middle of the line which might be used later for an attack on Bulgaria. He therefore, on behalf of his colleagues, advocated a broad neutral strip from the angle of the Bulgarian frontier to the Ægean Sea, which would remove any military menace, solve the railway difficulty and provide access for Bulgaria to the sea. These questions would require to be fully examined by a sub-commission. He hoped he had made it clear that the railway and port of Dedeagatch must be in the hands of some body or commission of an international character, sitting at Dedeagatch or elsewhere, and a good many alterations at Dedeagatch would be necessary to make that port adequate for Bulgarian trade. He merely mentioned this in order to show that these were points upon which the inviting Powers would be quite prepared to give their advice in the proposed sub-commission.

There remained for consideration the question of Western Thrace, for which, or a portion of it, the Turkish delegation had that morning demanded a plebiscite, although the area in question had not been defined by them. On this matter the Powers took a firm stand. The question of Western Thrace did not admit of doubt or dispute; the point had been settled by the Treaty of Neuilly, subject to the article which gave Bulgaria access to the sea. The area did not belong to Turkey before the war; Turkey had voluntarily surrendered it. The Greeks could not fairly be asked to give it up, not only because they were in legal occupation, but also because the area was absolutely necessary in order to enable them to accommodate the enormous influx of refugees who had gone there from Eastern Thrace and elsewhere. The inviting Powers were united on this and could not let the matter be reopened. There was no more case for a plebiscite in this area than in any other area outside the Turkish frontier. Even if a plebiscite were taken, it would afford no genuine test, owing to the extensive movements of the population in these troublous times. But it was clear, as shown by the statements of the various delegates, that the idea of setting up a little autonomous State on the west bank of the Maritza and in the eastern portion of Western Thrace could not commend itself to any sensible person. The Powers would hold themselves up to ridicule if they allowed the Treaty of Neuilly to be reopened in this way. He earnestly hoped, therefore, that they would hear no more of the matter.

On the questions which he had placed before the conference the inviting Powers were unanimous and were prepared to hear the Turkish reply next day. To sum up, the cession of Eastern Thrace up to the Maritza had been consistently and continuously demanded by Turkey, and had been conceded at Paris. He himself had been a party to the concession. A further concession, not contemplated in March, had been made at Mudania, namely, the immediate occupation of Eastern Thrace up to the Maritza even prior to the meeting of the present conference. He would ask in all friendship and regard that the Turkish delegates should confine themselves to the demands in the Turkish programme which the Powers were perfectly ready to concede, and not render the negotiations more difficult by persisting in demands which it would be quite impossible to grant.

M. Barrère said he had followed with keen interest this courteous, moderate and conciliatory discussion which did honour to all the delegations taking part in it. He hoped the debate would continue with the same breadth and rapidity. He wished to state that he entirely concurred in the clear and moderate statements of Lord Curzon, which corresponded with the views of the French Government and with his own. He specially appreciated the conciliatory spirit shown by M. Nintchitch and M. Duca, who had indicated their desire to avoid creating any subject of discord in the Balkans. He trusted that Turkey would take heed of the views expressed that day.

Marquis Garroni shared the views of Lord Curzon and M. Barrère. Even when the Allies contemplated a frontier less favourable to Turkey, he had never ceased to recommend the adoption of the boundary now proposed by the Powers, and he asked the Turkish delegation to accept it. In his view, Lord Curzon's proposals were perfectly acceptable and of such a nature as to prevent fresh conflict.

M. Venizelos said in connection with M. Stambouliisky's statement regarding the Bulgarian outlet on the Ægean Sea that he was ready to give all necessary guarantees with a view to the utilisation by Bulgaria of the Maritza, the railway and the port of Dedeagatch under the control of an international commission, similar, for instance, to the Danube Commission.

In reply to a question from Lord Curzon, he handed to the commission statistics concerning the region ceded by Turkey to Bulgaria in 1915 (see annex).

(*The commission rose at* 6 P.M.)

ANNEX TO NO. 5.

Statistics submitted by the Greek Delegation.

POPULATIONS of the Districts lying between the Maritza and the Turco-Bulgarian Frontier of 1913.

(Greek figures for 1912.)

	Greeks.	Turks.
Kaza of Demotika	22,080	6,315
Part of Kaza of Mustafa Pasha	4,962	3,335
Part of Kaza of Ortakeui ...	1,714	1,775
Part of Kaza of Adrianople ...	8,400	3,200
Total ...	37,156	14,625

(Turkish figures for 1902.)

	Greeks.	Turks.
Kaza of Demotika	19,045	8,499
Part of Kaza of Mustafa Pasha	3,065	3,479
Part of Kaza of Ortakeui ...	1,302	1,939
Part of Kaza of Adrianople ...	5,750	3,200
Total ...	29,162	17,117

(NOTE.—As the frontier of 1913 crosses and divides the kazas of Mustafa Pasha, Ortakeui and Adrianople, the figures given in the Greek schedule are more exact, because this schedule gives the population by village and by nationality. On the other hand, as the Turkish figures only give the population of complete kazas, it has been necessary, in order not to diverge too far from the truth, to utilise the Turkish figures reduced in the same proportions as the corresponding Greek figures.)

(Greek figures for 1920.)

Department of Evros.

(Kazas of Dedeagatch, Sufli, Demotika, Enos, Ipsala.)

Greeks.	Turks.
53,000	26,500

(NOTE.—If from these official figures the populations of the kazas of Dedeagatch, Enos, Ipsala and Sufli (where the Turks were in the majority) are deducted, the same result is reached as is given by the above-mentioned figures, that is to say, a large Greek majority in the district of Demotika.)

No. 6.

COMMISSION ON TERRITORIAL AND MILITARY QUESTIONS.

Minutes of the Third Meeting, November 23, 1922, at 11 A.M., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir Horace Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.

Also present:

BRITISH EMPIRE.

Sir William Tyrrell.
Major-Gen. Burnett-Stuart.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. Bargeton.
M. Corbin.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
M. Nogara.
M. Ciamarra.
M. Guarnaschelli.

UNITED STATES OF AMERICA.

Mr. Amory.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.

GREECE.

General Mazarakis.
M. Dendramis.

ROUMANIA.

Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. B. Christitch.
M. Antitch.

TURKEY.

Munir Bey.
Chukri Bey.
Moukhtar Bey.
Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

ROUMANIA.

M. Constantinesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

General Discussion on the Frontier of Thrace.

LORD CURZON asked the Turkish delegation to speak.

ISMET PASHA, before stating the view of the Turkish delegation on the proposals submitted to the commission at the meetings of the previous day, wished to refute the arguments of the first Greek delegate.

M. Veniselos had opened his speech by reviewing the circumstances which had caused Turkey and Greece to take part in the world war. The Turkish delegation thought it quite out of place to discuss before the commission the factors which had driven the Ottoman Empire to take part in that war. In order to obtain a clear idea of this it would be necessary to describe and analyse minutely the political events of the thirty years preceding the conflict. The Turkish delegation thought that such an investigation would have no practical utility; it would, indeed, more probably impede negotiations for the re-establishment of peace by starting useless polemics. Moreover, Turkey had not had to fight Greece during the world war. The war between those two countries dated, rather, from the Greek disembarkation at Smyrna in May 1919. That date, as everyone knew, marked the opening of a new phase. Turkey could not in any way be taxed with having been the aggressor in that phase of the operations; on the contrary, she had undergone superhuman sacrifices in order to defend her national patrimony against a wholly unjustifiable enterprise of conquest. Such was the truth as regards the respective moral positions of the two belligerents in the war which had brought bloodshed to Asia Minor.

In the course of the last four years of conflict between Turkey and Greece, it was always the latter who had refused to listen to the various proposals of peace and mediation repeatedly put forward by the Allied Powers.

At the Conference of London in the spring of 1921 Turkey had accepted a plebiscite for Thrace and for Smyrna and its neighbourhood; Greece had opposed it; if Greece had shown the same goodwill as Turkey with a view to the pacific settlement of the conflict, the war could have come to an end at that time.

At the end of the Conference of London the Allied Powers, on the 12th March, 1921, put forward proposals which each delegation was to submit to its Government. On the 23rd March, when the Turkish delegation was still on its way to Angora, the Greeks started an offensive which ended with the second battle of In Eunu. Thus it was Greece who replied to the peace proposals of the conference with gunfire.

A little later, in June 1921, the Allied Powers made offers of mediation to the two belligerents; Greece, having decided to attempt a new offensive for the conquest of Angora, disdainfully rejected these proposals and undertook an advance which ended with the defeat of Sakaria. In view of this uncompromising attitude on the part of Greece, the Allied Powers had to announce that Greece thenceforward was fighting at her own risk, and that she no longer had any mandate from them. The responsibility of Greece was therefore indisputable.

Turkey for her part had never ceased to declare her readiness to lay down arms as soon as her legitimate national claims had been satisfied. She accordingly intensified her efforts to achieve peace, as was well known to the Allied Powers and to the whole world.

In the course of his argument M. Veniselos had maintained that Turkey was reopening a territorial question already decided by the Treaty of Neuilly, and he had sought in this way to avoid all discussion regarding Western Thrace; but by article 48 of that treaty the fate of inter-Allied Thrace was left for decision later on. The question, therefore, was still open. The Turkish delegation desired to state once more that they did not claim the retrocession of inter-Allied Western Thrace to Turkey; but they did wish to save the overwhelmingly Turkish population of that district from a régime against which it had constantly protested, and they therefore persisted in claiming that the people of that country, living in a district whose fate was still not settled, should have the right of self-determination which figured in the Great Powers' programme of peace.

Ismet Pasha then laid on the table of the commission statistics by kazas and villages for the area in dispute (Annex (A)).

He wished to give at once the total figures for the four kazas making up the area, viz. :—

——	Turks.	Greeks.	Bulgars.	Jews.	Armenians.
Gumuldjina	59,967	8,834	9,997	1,007	360
Dedeagatch	11,744	4,806	10,227	253	449
Sufulu	14,736	11,542	5,490	...	...
Eskijeh	42,671	8,728	552	220	114
	129,118	33,910	26,266	1,480	923

The idea of a plebiscite should not cause any anxiety to the Greek delegation, as the latter said they could assert that a large majority of the population in Western Thrace was Greek; if this were so, the plebiscite would confirm Greece's right to the possession of that country.

M. Veniselos had also mentioned the numerous mistakes made by the Greek Government during the course of several years of occupation. Ismet Pasha had no desire or intention to make the slightest reproach to M. Veniselos, but he begged leave to say that the faults to which he had alluded had cost the unfortunate Turkish population very dear. Was it admissible that these sufferings should continue in Western Thrace in consequence of the Greek occupation?

M. Veniselos had objected to the 1913 frontiers of Thrace, which left to Turkey the suburb of Kara-Agatch and the districts of Mustafa Pasha, Seimenli and Demotika. These objections appeared to the Turkish delegation quite groundless.

M. Veniselos had said that in that district the majority of the population was Greek; that was untrue; once again M. Veniselos had put forward statistics of his own, just as he previously supplied the Supreme Council with statistics of purely Greek origin in order to justify his demands for the annexation of essentially Turkish territory.

The Turkish figures contradicted those of M. Veniselos. The former, dating from 1914, were as follows :—

——	Turks.	Greeks.	Armenians.	Miscellaneous.
Mustafa Pasha	11,857	6,134	...	568
Semenli	4,594	4,235	...	10
Demotika	20,110	24,447	174	1,212
Total	36,561	34,816	174	1,790

NUMBER of Villages.

——	Turkish.	Greek.	Mixed.	Græco-Turkish.
Mustafa Pasha	28	7	1	1
Semenli	17	10	1	...
Demotika	31	9	1	13
Total	76	26	3	14

Perhaps it would be useful to point out that the town of Demotika had an historical importance for the Turks; it had been their first provisional capital in Europe, and they had erected there numerous monuments, mosques, fountains, forts, palaces, &c.

M. Veniselos had said that there had been Greeks in Thrace and Asia Minor for twenty centuries; history did not bear out these statements. The most authoritative historians, such as Maspéro in his "Histoire des Peuples de l'Orient" and Dr. Morgan in his "Scientific Study of the Caucasus," recognised that since the remotest times the population of Anatolia had been of Turkish race.

The economic data advanced by the chief of the Greek delegation were equally erroneous. In the districts under discussion the landed estates belonged in great part (84 per cent.) to the Turks, who, as everyone knew, were generally agriculturists firmly rooted to the soil (see Annex (B)). The chief working and producing element in the population was the Turkish peasant; in these districts, as elsewhere, the Greek—who preferred a business career—was an essentially mobile element, incapable of acquiring possession of land save to a very small extent.

M. Veniselos had mentioned the voluntary cession of these districts by Turkey in 1915, and had drawn the conclusion that the Turkish demand was not justified. Turkey had not ceded that region voluntarily, as M. Veniselos, M. Nintchitch and M. Duca alleged. That cession had taken place under pressure of gravest circumstances, and had never been ratified by the Turkish Parliament. After the armistice the Allied Powers themselves had hastened to annul the Turco-Bulgarian Convention, the duration of which had, in fact, been very ephemeral; and the political situation had completely changed since the date of its conclusion.

As regards the question of security, which Ismet Pasha had advanced in support of his claims, M. Veniselos apparently brushed aside a necessity which was recognised by every country. It was only natural that a State, when the question of drawing its frontiers arose, should try to obtain such a minimum of security as was indispensable for the defence of a given region; that in no way implied a progressively increasing demand for annexation of territory.

Since Adrianople was being given back to Turkey, it was indispensable for her to recover also the territory comprising the railway section Kouléli Bourgas–Moustapha Pasha, which connected Adrianople with Constantinople.

In order to guarantee the security of Adrianople and of the above-mentioned railway, and with a view to maintaining relations of confidence and cordiality with her neighbours, it was indispensable for Turkey that the frontier should be removed as far as necessary from the town of Adrianople and from the railway line.

Take the suburb of Kara-Agatch by itself. The Turkish delegation found it difficult to understand why the Greek delegation claimed to remove from Turkish sovereignty a quarter of a town which was now indisputably Turkish. Could anyone think the co-existence of two administrations in the same town natural?

It had been argued that the suburb of Kara-Agatch was of no importance to Turkey from the point of view of communications with Adrianople, and that these communications could be assured by other means; but these other means were not defined; in reality there were no other means of ensuring these communications, and without the suburb of Kara-Agatch the town of Adrianople could not maintain normal relations with other parts of the country, and would inevitably be condemned to economic stagnation. In that suburb all the property belonged to the inhabitants of Adrianople. Further, the Allied note of the 23rd September restored Adrianople to Turkey; in consequence it restored also the suburb of Kara-Agatch which was an integral part of the city.

Ismet Pasha wished to add that during the negotiations which led up to the signature of the Convention of Mudania, General Mombelli, the Italian delegate, had spoken to him at the fourth meeting, held on the 6th October, 1922, as follows *verbatim*:—

> "Allow me to make an official declaration to your Excellency in the name of the Italian Government:—
>
> "1. Considering that from the military point of view the fortress of Adrianople comprises the town, its suburb of Kara-Agatch and the ring of forts, including those on the right bank of the Maritza;
>
> "2. Assuming that the expression 'including Adrianople,' which appears in the Allied note of the 23rd September, 1922, can fairly be interpreted in the sense given above," &c.

Similarly, General Harington, the British delegate, had stated on the 9th October:—

> "The Allied Governments have agreed on the proposals to be made to you. They offer you the decision by which you obtain the whole of Eastern Thrace. The Allied Governments go so far as to supply you with a curtain to the west of the Maritza. You will have Kara-Agatch."

Ismet Pasha hoped that this moral undertaking, given by two representatives of the Allies, would be honoured.

Finally, it had been argued that there were two railway stations in the region of Adrianople. It was true that there was a line going from the station at Kara-Agatch towards the town, with a junction situated at the end of this line and at the head of the bridge, but the extent of the site did not lend itself to the construction of a station commensurate with the needs of the place. Even supposing that such a suitable station could be built, the above-mentioned line from Kara-Agatch could not obviate the inconvenience arising from the separation of Adrianople from its suburb.

In speaking of refugees, M. Veniselos had mentioned the difficulties to which Greece was exposed and had alleged that a million refugees had gone to Greece and specially to Thrace. That figure appeared excessive to the Turkish delegation, who, moreover, did not ask for the annexation of Western Thrace. The Government of the Grand National Assembly of Turkey was confronted with the same problem, but in a much more acute form; for in consequence of the Greek invasion and devastations more than a million Turks were now wandering without shelter or food on the table-lands of Asia Minor, and a great number of them were, alas! condemned to a certain death.

Ismet Pasha wished also to reply briefly to the objections put forward by the Serbian delegation. M. Nintchitch had stated that the Maritza constituted a natural frontier. Of course a river could in certain circumstances constitute a natural frontier; but in the case in point this was not so, for the Maritza cut the town of Adrianople in two.

M. Nintchitch wanted to know whether the Turkish demand for a plebiscite was designed to protect the rights of minorities, and had stated that that protection could be guaranteed by Greece. But the proposal made by the Turkish delegation referred to the majority, not the minority, of the population.

Lord Curzon had argued that the situation created by the treaties rendered it inadmissible for the Turkish delegation to claim the 1913 frontier. If Lord Curzon referred to the Convention of 1915, Ismet Pasha ventured respectfully to point out to him that that convention, not having been approved by the Ottoman Parliament, was null and void. It could not, consequently, be invoked now against Turkey. As regards Turkey, no international act existed except the Turco-Bulgarian Treaty of 1913, which had settled the fate of the country in question. As for Lord Curzon's contention that Turkey had hitherto only asked for the Maritza as a frontier, Ismet Pasha hastened to draw his attention to the following considerations.

The Allied Powers, in their note of the 23rd September, informed the Turkish Government that they would consider favourably Turkey's desire to recover Thrace as far as the Maritza and Adrianople. The Turkish Government, in its reply of the 29th September, demanded the immediate evacuation and prompt restitution of Thrace up to the west of the Maritza, including Adrianople. The claim thus formulated was in itself sufficient to show that Turkey had claimed certain districts situated to the west of the Maritza; it must further be noted that the point at issue was not the definitive fixing of the frontier, but simply an evacuation.

As regards the argument based on the Turkish note of the 4th October, 1922, Lord Curzon was no doubt aware that in the paragraph concerning this question the Turkish Government had merely noted with satisfaction the recognition of its incontestable rights over Thrace, without any mention of the Maritza. That point had also been made clear at the time of the Mudania Conference. Article 2 of the Convention of Mudania, which had been quoted against Turkey, likewise dealt with evacuation only, and in no way prejudiced the attitude of the Turkish Government on the question of frontiers.

Besides, the maintenance of Kara-Agatch under Turkish sovereignty did not, as had been supposed, imply anything in the nature of aggression.

To sum up, the Turkish delegation were face to face with the following proposals :—

1. The adoption of the Maritza frontier for Eastern Thrace.
2. The constitution of a neutral zone.
3. The creation of an outlet on the Ægean for Bulgaria.
4. The internationalisation of the railway.

The neutral zone was to extend according to one proposal from the Black Sea to the Ægean, and according to another from the Toundja to the Ægean.

The Turkish delegation had the honour to make the following counter-proposals :—

1. They felt bound to stand by their proposal for the adoption of the 1913 frontier, since in their opinion the possibility of such a solution had been proved by the arguments given above.
2. They assumed that the institution of a neutral zone would not in any way affect the existing sovereign rights and administration in the district to which that neutrality applied; but certain restrictions to those sovereign rights could be imposed with a view to the defence of the country. Ismet Pasha asked that the question of the neutral zone should first be thoroughly examined by a sub-commission, which should present a detailed report to the commission. He thought that this investigation could be completed by a technical commission in a few hours.
3. They had already expressed the view that an outlet could be assured to Bulgaria on the Ægean Sea. They wished to repeat that they welcomed the granting of such an outlet.
4. They had no objection to the setting up of an international organisation which would enable Bulgaria, Turkey and Western Thrace to utilise the railway. A sub-commission could usefully investigate this point.
5. The proposal for a plebiscite in Western Thrace was fair. The neutralisation of Western Thrace, in such form as might be established as a result of the plebiscite, was of a nature

to ensure the safety of the neighbouring countries and militated in favour of the constitution of a neutral zone.

Lord Curzon asked Ismet Pasha to state the date of the statistics quoted by him with regard to the population of the four kazas of Western Thrace.

Ismet Pasha replied that the statistics in question were those of 1914.

Lord Curzon enquired how Ismet Pasha had been able to obtain statistics for 1914 since the region had ceased to be under Turkish rule in 1913. Were these statistics drawn up by the Bulgarian Government?

Riza Nour Bey replied that the figures given by the Turkish delegation were those of 1914, drawn up by the Turkish functionaries whom the Bulgarian Government had left at their posts after taking possession of the country. These figures also corresponded with those drawn up by the Turkish Administration in 1913.

Lord Curzon said that M. Veniselos would doubtless inform the conference later on whether the figures quoted by the Turkish delegation corresponded with those given by the Greek delegation. He thought it would be the general opinion that the Turkish delegation had stated their position with great conciseness and clearness. He would not now pause to reply to the Turkish statements which were in conflict with what he had said the day before, but he had no doubt that his colleagues would justify their position at a later stage.

Ismet Pasha had made two definite proposals. In the first place, he had referred to the suggestion made by M. Nintchitch, and subsequently supported by other speakers including himself, that the question of a demilitarised zone on the borders of Eastern Thrace should be examined. He (Lord Curzon) thought that it was a mistake to refer to a "neutral" zone, which would raise the question of sovereignty; what was wanted was a demilitarised zone to provide for security. He agreed with Ismet Pasha that a sub-commission should be set up, and that the creation of a demilitarised zone or zones should be specified in its terms of reference. Two suggestions had been made which could be taken either separately or together:—

1. For a demilitarised zone on the northern frontier of Eastern Thrace from the Black Sea to the north-west angle of the frontier. This suggestion was almost entirely military in its application, and ought to be examined by military experts, including those of the Turkish delegation.
2. He had himself suggested, and he gathered that the Turks were prepared to agree, that the sub-commission should examine a demilitarised zone extending along the Maritza boundary of Eastern Thrace only.

He thought it most desirable to proceed at once to constitute the sub-commission. Each of the Powers should appoint two delegates, to be assisted by such experts as they pleased. He would be prepared to do so on behalf of Great Britain.

Ismet Pasha's second suggestion was for another sub-commission to consider the question of the railway and access for Bulgaria to the sea. He thought this suggestion a very good one, and was prepared to agree to it unless, on discussion, it were found that one sub-commission could do all the work. It would be the business of the sub-commission to discuss these questions not only from the point of view of the future treaty, but also having regard to local interests and local information. Different accounts had been given to the commission on such questions as the river, the nature of the country, and the circumstances at Kara-Agatch; these should be examined by the sub-commission.

He was disposed for his part to agree to both the Turkish proposals, but before submitting them formally to his colleagues he would like to hear their opinion; and there was nothing to preclude the continuation of the general discussion of the larger aspects of the matter, upon which some of the delegates might wish to speak.

M. Barrère thought it very desirable to set up a commission of experts on the military questions at issue. He welcomed Ismet Pasha's two suggestions. In his opinion it would be well to set up two sub-commissions, one to deal with military questions and the other with the railway and the port.

M. Duca entirely agreed with the proposal of Lord Curzon and M. Barrère to set up two sub-commissions for the purposes indicated. In this connection he wished to make it clear that what he had in mind was not a neutral but simply a demilitarised zone. He proposed that the presidency of the technical military sub-commission should be assigned to General Weygand, whose high authority was recognised by all.

Marquis Garroni also concurred in the proposal before the conference, but wished to make one observation. Instead of setting up two sub-commissions he would prefer only one, for, in his opinion, the two questions were to some extent inter-dependent. He thought it would suffice, at any rate for the present, to set up a single sub-commission; later on, if necessary, a second could be created. He thought it generally desirable not to set up too many sub-commissions.

Ismet Pasha wished to define his proposals, so as to avoid all possible misunderstandings; the question of a demilitarised zone should be thoroughly examined by a sub-commission, which would present a detailed report to the commission. A technical committee could complete this task in a few hours.

Lord Curzon said that Ismet Pasha had proposed one sub-commission for the neutral zone question and another for the question of rail traffic and the port of Dedeagatch. There was much force in Marquis Garroni's argument regarding the connexity of the two subjects, and he agreed that a single sub-commission should be able to study both problems with the assistance of experts. If the sub-commission found later on that it could not cope with both questions alone, a second sub-commission could then be set up.

M. Barrère thanked M. Duca for having proposed General Weygand as president of the sub-commission in such complimentary terms; but according to the rules it was for the sub-commissions themselves to nominate their presidents; in this respect the sub-commissions had complete liberty of action.

Lord Curzon was sure that the conference would be delighted if the sub-commission were to offer its chairmanship to an officer of the great distinction of General Weygand. He agreed with M. Barrère's view that the sub-commissions should be free to nominate their own chairmen.

Marquis Garroni agreed with M. Barrère and Lord Curzon.

Lord Curzon proposed the following resolution:—

> "It is decided to appoint a sub-commission to consider the question of demilitarised zones on the frontier of Eastern Thrace, the question of railway communication with the Ægean and the provision of a port for Bulgaria at Dedeagatch. Each Power will nominate two delegates on this sub-commission, and they will have power to associate with themselves any experts whom they may desire to consult. This sub-commission, when it has finished its labours, will report to the main commission, by which its report will be considered."

This resolution was carried.

Lord Curzon invited the delegations to nominate their representatives on the sub-commission, which would meet in the afternoon.

He called on M. Venizelos to speak, and said he presumed that the other delegations would be willing to await the report of the sub-commission.

M. Venizelos wished to reply briefly to Ismet Pasha's remarks. It could not be said that war was declared between Greece and Turkey in 1919 at the time of the disembarkation at Smyrna. During the world war a Turkish division had operated in the Balkans. The Greek fleet for its part had co-operated in the naval operations since 1917, and had contributed effectively to the blockade of the Asiatic coast and of the Straits. Ismet Pasha had reproached Greece for not having made any effort to conclude peace. M. Venizelos wished to recall the fact that in October 1921, according to information in his possession, M. Gounaris had, at the invitation of Lord Curzon, accepted the abandonment of Asia Minor, and even a rectification of the Thracian frontier at Tchataldja, in order to give Constantinople more elbow-room. At that time, however, the Angora Government was not disposed to make peace without obtaining Adrianople as far as the Maritza, which the Greek Government could not then accept. As regards

Western Thrace, Ismet Pasha considered the question as not yet settled, because article 48 of the Treaty of Neuilly left the fate of this region in suspense. M. Veniselos said that this argument was unsound; in point of fact, by article 48 of the Treaty of Neuilly Bulgaria had renounced in favour of the Principal Allied and Associated Powers her rights and claims over Western Thrace and had undertaken to recognise the measures which those Powers might take in regard to that province. Later on the Powers had embodied their decisions on this subject in a treaty signed with Greece; the question was therefore finally settled, and the Angora Government had nothing to do with the matter. Ismet Pasha apparently thought M. Veniselos had argued that Western Thrace contained a Greek majority. M. Veniselos did not quite say that; he had merely stated that, if the Greek and Bulgarian parts of Western Thrace were put together, there was in this region a large preponderance of Turkish elements. If, on the other hand, Western Thrace were taken without the part which belonged to Bulgaria, barely half the population was Turkish. Moreover, these figures were of no importance in view of recent events; ethnological changes had taken place which entirely transformed the character of the country.

Ismet Pasha had referred to M. Veniselos's statement respecting the mistakes committed by the Greek Government, with unhappy results for the Greek people, and he had added that the Turkish population had also suffered cruelly in consequence. M. Veniselos wished to assure his hearers that neither in Western Thrace nor in Macedonia had any excesses been committed against the Mussulmans. The Greek Parliament included forty-one Mussulman Deputies who took an effective part in the work of Parliament, and had on several occasions decided the fate of the Government which was carrying on the war in Asia Minor. He considered it unjust to allege that atrocities had been perpetrated and that the Turkish element had been subjected to harsh treatment by the Greek authorities. He would even go further; in Asia Minor, in the territory ceded to Greece by the Treaty of Sèvres, Mussulmans had not only had the same rights as Greeks, but in doubtful cases the benefit of the doubt was given to the Mussulmans.

True, the Greek army had later on committed excesses during its retreat, but he would doubtless have another occasion to speak on this point if Ismet Pasha took the initiative in raising it.

As regards the part of Western Thrace ceded by Turkey to Bulgaria in 1915, M. Veniselos recognised that in 1914 the Greeks, far from being in the majority, were a negligible element; possibly there was not a single Greek there. The fact was that after the Balkan wars this territory was assigned to Bulgaria, who expelled the Greek population wholesale. This population, which was driven away in 1913, hastened to return to its native country after the Treaty of Neuilly.

Ismet Pasha had accused M. Veniselos of supplying the Peace Conference of 1919 with Greek statistics. Ismet Pasha was not present at that conference, and must have been wrongly informed, for M. Veniselos's strength had always been that he quoted before the Supreme Council both Greek and Turkish statistics so as to get at the truth by means of comparisons. He took the opportunity of laying before the conference the official Turkish statistics of 1902 as given in the year-book "Salnamé" of Adrianople. He believed that, although these figures were more than twenty years old, they gave a true picture of the distribution of the various races. Indeed, the character of the population could only have changed in favour of the Greeks, since the Greek element increased more rapidly than the Turkish. Besides, the statistics for that period were much more reliable than those drawn up later.

Ismet Pasha had asserted that the territory claimed by Turkey had been Turkish since time immemorial. M. Veniselos did not wish to start a polemic on that theory of Greek history, which was quite new to him; as a democrat, he thought that historical arguments should not serve as grounds for territorial claims. What must be considered was the present; the present aspirations of the population must be satisfied first of all, and that was the line he had always taken in defending his own country's claims.

Ismet Pasha had stated that if Western Thrace remained Greek the incoming refugees would oblige the Turks who lived there to leave the country. This assertion was not correct. M. Veniselos wished to say, in all justice to the Turkish population in Greece, that it constituted a first-class element of the population when well administered. These people had, on their own initiative, consented to give up part of their houses to refugees, and also gave them the necessary means of subsistence for several days. He was happy to be able to make this declaration. To sum up, the question of Western Thrace did not arise, since it had already been settled by a treaty other than that of Sèvres, which was the only one to be recast.

As for the statements attributed to General Mombelli and to Sir Charles Harington, they had made a certain impression, but they had never come to the knowledge of the Greek Government; what they knew was the Convention of Mudania, which was considered as the preliminaries of peace. But even if these statements had been made, they could not be quoted against Greece. Eastern Thrace, which Greece had been asked to cede, had been defined in the Mudania Convention as extending up to the line of the Maritza.

In connection with Ismet Pasha's statements about Kara-Agatch, M. Veniselos observed that Kara-Agatch was not a quarter but a suburb of Adrianople, situated on the other bank of the Maritza. There were other similar cases of towns divided by a river where two distinct administrations were possible; for example, Fiume and Sussak.

As regards Dedeagatch, its port could serve as the outlet both for Bulgaria and for Adrianople if Turkey wished it, although he thought that Adrianople's natural outlet was Constantinople. Greece was ready to entrust the railway and the port to an international administration which would give all necessary guarantees for the freedom of Bulgarian commerce.

Ismet Pasha had questioned the figures quoted by M. Veniselos in regard to refugees. Perhaps he (M. Veniselos) had made a mistake in speaking of Greek refugees only, since many of them were Armenians; but Greece did not consider she had the right to make any distinctions between the unfortunate peoples driven out of their homes who had taken refuge on her soil. Dr. Nansen, in a report of three weeks ago, estimated the number of refugees in Greece at 850,000. M. Veniselos hoped that the figure of 1,000,000 given by him would not be exceeded by several hundred thousand within a few weeks. Ismet Pasha had stated, on the other hand, that there were more than 1,000,000 dispossessed Turks now wandering on the tablelands of Anatolia. This figure was certainly much exaggerated. In the course of the Greek army's retreat, excesses had certainly been committed; but an army which was no longer willing to fight, even if it had set fire to the villages on its path, could not have gone out of its way to ravage wide tracts of country to right and left; at the most it could only have set fire to what was on its line of retreat.

If it were assumed that there were about 200,000 homeless Turks in Asia Minor, there were, on the other hand, more than 700,000 Greeks who had left that country in addition to 250,000 who had left Eastern Thrace. All these refugees had left their houses intact. Thus there were many more untouched houses than was necessary to accommodate the Turks who had been left without shelter. In any case, he thought that the sufferings on one side could not be compared with those on the other.

Ismet Pasha reserved the right to reply later to the statements of M. Veniselos.

Lord Curzon proposed to adjourn the First Commission until the sub-commission was ready to present its report.

(This was agreed to.)

M. Massigli read the following declaration which had been handed to him at the beginning of the meeting by the Turkish delegation :—

> "The Turkish delegation at the outset declared their preference for holding the debates in public, and it was only out of deference that they concurred in the opinion of the honourable president regarding the secrecy of the negotiations. They observe that in defiance of the decision arrived at, important leakages to the press have occurred in respect of the statements and speeches of other delegations."

In reply to an enquiry from Lord Curzon, Ismet Pasha said that, in addition to many other items of news in the press which did not appear in the official communiqués, the "Petit Parisien" had that morning published practically *in extenso* the declarations made by M. Veniselos at the meeting of the day before.

M. Veniselos replied that he was entirely ignorant of this fact, and that in any case he was not guilty of any indiscretion. Moreover, he had been present at a great many conferences during the past ten years and more and had invariably observed the most scrupulous discretion.

Lord Curzon thought that there was no occasion to complain of the way in which the press in general had treated the conference. M. Veniselos and he himself had sufficient experience to know that the solemn pledges given with a view to keeping the discussions secret were not always very strictly observed.

(*The commission rose at* 1·20 p.m.)

Annex (A) to No. 6.

Statistics Submitted by the Turkish Delegation.

Inter-Allied Western Thrace.

(Inter-Allied Western Thrace is composed of four kazas (sub-districts): Gumuljina, Dedeagatch, Sufli, Eskijeh (Xanthi).)

——	Turks.	Greeks.	Bulgars.	Jews.	Armenians.
Gumuljina ...	59,967	8,834	9,997	1,007	360
Dedeagatch ...	11,744	4,806	10,227	253	449
Sufli	14,736	11,542	5,490	...	...
Eskijeh (Xanthi) ...	42,671	8,728	552	220	114
	129,118	33,910	26,266	1,480	923

Grand Total, 191,699.

Enclosure 1 in Annex (A).

Kaza (sub-district) of Gumuljina.

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Gumuljina	18,568	2,709	72	1,007	360
Tuzju	185	...	...	...	...
Kalfa	258	...	...	...	...
Bulduklu	266	...	...	...	...
Jabadjykly	245	...	...	...	...
Demirjili	49	...	...	...	...
Bairakli	258	...	...	...	...
Bademli-Dereh	211	...	...	...	...
Aralik Burnu	426	...	...	...	...
Yeni Keui	695	...	...	...	...
Simitli	237	...	...	...	...
Yuvajili	346	...	...	...	...

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Sendelli	377	...	...	...	...
Ayazma	254	...	...	...	...
Merkebjili	393	...	...	...	...
Yeni Keui	188	...	...	...	...
Polat	493	246	...	...	...
Gebejili	79	...	...	...	...
Chepeli	783	...	...	...	...
Buyuk Musellim	752	...	...	...	...
Melekli	315	...	...	...	...
Khasbey	136	...	...	...	...
Kuchuk Doghanji	305	...	...	...	...
Buyuk Doghanji	425	...	...	...	...
Kuchuk Keui	...	1,017	...	...	...
Kissali	409	...	...	...	...
Simen	147	...	...	...	...
Yabeyli	414	...	...	...	...
Nevruz Fakili	335	...	...	...	...
Sathy	181	...	378	...	...
Kuchuk Kozlu	...	...	...	...	...
Bunar-Dereh	499	...	...	...	...
Irjan-Hissar	...	539	...	...	...
Maronia	...	1,997	...	...	...
Yardimli	416	...	...	...	...
Denizler	174	...	174	...	...
Muradli	376	...	...	...	...
Sevindikli	81	...	...	...	...
Hajilar	...	...	796	...	...
Inje	85	...	...	...	...
Demir Beyli	353	...	...	...	...
Salmanli	390	...	...	...	...
Kushlanli	...	...	1,043	...	...
Osmanieh	344	...	...	...	...
Yassi	218	1,019	...	...	...
Kuplu	179	...	...	...	...
Susigri	295	158	...	...	...
Yalimli	140	...	...	...	...
Balaban	297	...	...	...	...
Kara-Mussa	199	...	...	...	...
Yalanjili	266	...	...	...	...
Otaji	407	...	...	...	...
Narli	308	...	...	...	...
Baglija	246	...	...	...	...
Tekeh-Dereh	159	...	...	...	...
Koyun-Dereh	455	...	...	...	...
Kara-Moussa-Dagh	64	...	...	...	...
Mejid Mahalla	116	...	...	...	...
Ishiklar	61	...	...	...	...
Kavajik	51	...	...	...	...
Geutch-Ili	132	...	...	...	...
Koja Bashi	54	...	...	...	...
Bayatli	161	...	173	...	...
Sassalli	307	318	...	...	...
Palazli	306	...	...	...	...
Sarija	366	...	...	...	...
Kara-Gheuzlu	265	...	...	...	...
Hamidieh	300	...	...	...	...
Ertoghrul	383	...	...	...	...
Mejidieh	454	...	...	...	...
Burhanieh	386	...	...	...	...
Mejidieh-i-Hassa	480	...	...	...	...
Sari Yer	48	...	...	...	...

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Burhaneddin	376	...	...	...	...
Sarija Bulgar	124	...	236	...	...
Buyuk Kozlu	751	...	...	...	...
Menetler	275	...	...	...	...
Deirmen-Dereh	203	...	...	...	...
Pajamlar	234	...	...	...	...
Tashkinlar	252	...	...	...	...
Uch-Gaziler	96	...	...	...	...
Deli-Naz	233	...	...	...	...
Biyikli Osman	358	...	...	...	...
Kuchuk-Musellim	282	...	...	...	...
Kirjali	709	...	...	...	...
Euren	241	...	99	...	...
Yassi Uyuk	103	...	241	...	...
Kizillar	81	...	353	...	...
Ishiklar	208	...	...	...	...
Haji	86	...	...	...	...
Dourassanlar	204	...	...	...	...
Findijak	741	...	...	...	...
Dolabjilar	273	...	...	...	...
Sichanlik	...	...	1,750	...	...
Chapji	2,357	...	...	...	...
Bekir Keui	231	...	...	...	...
Gaïbi	253	...	...	...	...
Ebad	...	...	113	...	...
Ertoghrul	628	...	...	...	...
Kalaiji-Dereh	...	...	1,148	...	...
Hirka	...	753	...	...	...
Sofular	155	...	278	...	...
Kara-Agatch	...	...	571	...	...
Kara Kirjali	336	78	492	...	...
Irjan	785	...	...	...	...
Haji Mustafa	384	...	...	...	...
Cheri Bashi	350	...	...	...	...
Sinir-Dereh	114	...	...	...	...
Sirkeli	578	...	...	...	...
Kutchuk-Sirkéli	174	...	...	...	...
Chardakli	109	...	...	...	...
Lefejiler	417	...	158	...	...
Anbar	326	...	...	...	...
Bal Ahur	328	...	...	...	...
Bassirli	434	...	...	...	...
Karaja-Oglan	577	...	...	...	...
Domry	492	...	...	...	...
Pazar	46	...	...	...	...
Kalender	101	...	...	...	...
Turghut Ova	145	...	...	...	...
Chelebi	161	...	...	...	...
Dondurlu	220	...	...	...	...
Chadirli	...	...	943	...	...
Monastir	...	...	977	...	...
Kuchuk-Dereh	675	...	...	...	...
Baldiran	353	...	...	...	...
Kizil-Agatch	618	...	...	...	...
Kozlu-Dereh	420	...	...	...	...
Kara-Dereh	617	...	...	...	...
Querdemé	491	...	...	...	...
Sarandjyna	452	...	...	...	...
Hémitli	600	...	...	...	...
Kussuran	534	...	...	...	...
Kuyunluk	237	...	...	...	...

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Tchataby	441	...	...	...	...
Unturen	201	...	...	...	...
Mussajik	451	...	...	...	...
Kess-Euren	421	...	...	...	...
Pekili	130	...	...	...	...
Pekili-Hoja	84	...	...	...	...
Arabaji	84	...	...	...	...
Kashikjilar	82	...	...	...	...
Total	59,967	8,834	9,997	1,007	360

Enclosure 2 in Annex (A).

Kaza (sub-district) of Dedeagatch.

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Dedeagatch	1,742	2,474	408	253	449
Makri	400	940	20	...	...
Délinas	44	...	...	...	...
Sarilar	92	...	...	...	...
Dikili-Tash	197	...	...	...	...
Guvendik	199	...	...	...	...
Khotallar	124	...	...	...	...
Mussalar	79	...	...	...	...
Gurejeh	62	...	...	...	...
Tashlik	132	...	...	...	...
Keusseh-Mejid	217	...	...	...	...
Hassanlar	156	...	...	...	...
Choban Keui	...	29	970	...	...
Kara-Kaya	214	...	...	...	...
Derbend	6	...	1,641	...	...
Yeni	...	...	1,322	...	...
Bodima	3	...	375	...	...
Yunus Dereh	...	...	1,133	...	...
Dogan-Hissar	4	15	1,895	...	...
Cham Viran	...	...	321	...	...
Rumjuk	...	638	...	...	...
Baly Bulgar	...	...	604	...	...
Kutchuk-Vakf	...	...	700	...	...
Yldja	200	6	604	...	...
Ferejik	2,948	494	174	...	...
Buyuk Vakf	192	...	...	...	...
Kishlak	326	...	...	...	...
Bojalik	258	...	...	...	...
Baly-Turc	990	...	...	...	...
Selimieh	253	...	...	...	...
Erdemish	170	...	...	...	...
Kaldyr-Kos	253	...	...	...	...
Féré-Barkhanly	228	...	...	...	...
Chekirdekli	195	...	...	...	...
Bey	158	...	...	...	...
Shahinler	456	...	...	...	...
Ihsanieh	404	...	...	...	...
Chai Bashi	77	...	...	...	...
Bâdyr-Euren	220	...	...	...	...

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Hoja	140	...	...	...	...
Khalil Oglu	163	...	...	...	...
Keustelli	119	...	...	...	...
Doganja	192	...	...	...	...
Dui-Ali	131	...	...	...	...
Total	11,744	4,806	10,227	253	449

Enclosure 3 in Annex (A).

Kaza (sub-district) of Sufli.

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Sufli	886	7,643	...	...	...
Kara-Bunar	24	1,374	...	...	...
Janviren	5	...	302	...	...
Buyuk-Cham	...	741	...	...	...
Maramli Tekkeh	...	...	419	...	...
Maramli	...	...	475	...	...
Bashmakji	...	432	...	...	...
Mircos	1,118	...	...	...	...
Halil-Eurèn	743	...	...	...	...
Hadjurèn	483	...	...	...	...
Yokari Kanberler	225	...	...	...	...
Ashaghi Kanberler	125	...	...	...	...
Yilanli	116	...	...	...	...
Kara-Furèz	203	...	...	...	...
Ramadan Mahalla	64	...	...	...	...
Keusseler	79	...	...	...	...
Kutuklu	74	...	...	...	...
Keusseh	52	...	...	...	...
Ahlatli	93	...	...	...	...
Kalaiji Ova	260	...	...	...	...
Dish Budak	172	...	...	...	...
Vakf-Sandal	436	...	...	...	...
Bidikli	225	...	...	...	...
Kavak-Kuru	239	...	...	...	...
Lutfieh	491	...	...	...	...
Maramli	180	...	...	...	...
Musellim	204	...	...	...	...
Osmanja	186	...	...	...	...
Hamidieh	269	...	...	...	...
Baghji Bey	264	...	...	...	...
Handjâz	318	...	...	...	...
Chakirji	278	...	...	...	...
Keupekli	194	...	...	...	...
Kuyun Yeri	281	...	...	...	...
Simenli	421	...	...	...	...
Yelkenji	366	...	...	...	...
Gemiji	223	...	...	...	...
Cheumlekji	517	...	...	...	...
Kutchuk-Derbend	226	...	703	...	...
Kayajik	8	4	712	...	...
Armudlu	199	...	...	...	...
Imanlar	121	...	...	...	...

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Yenijeh	67	...	...	...	...
Maskaralar	143	...	...	...	...
Eumerler	406	...	...	...	...
Balli-Kaya	95	...	...	...	...
Chelebiler	83	...	...	...	...
Dikili-Tash	44	...	...	...	...
Choudjailar	64	...	...	...	...
Rushenler	87	...	...	...	...
Ashaghi Mahalla	48	...	...	...	...
Cheukekli	103	...	...	...	...
Babalar	221	...	...	...	...
Sarbdereh	153	...	...	...	...
Sipahi Mahalla	37	...	...	...	...
Messimler	117	...	...	...	...
Buyuk-Derbend	270	1	432	...	...
Tash-Aghil	240	...	362	...	...
Dobrova	52	...	299	...	...
Semer-Burnu	85	...	97	...	...
Ferekulubeleri	103	...	110	...	...
Kervan-Chairi	77	...	215	...	...
Demir-Euren	479	...	...	...	...
Chircair	...	...	283	...	...
Pechman	...	...	743	...	...
Katirja	302	...	158	...	...
Sari-Kaya	194	...	...	...	...
Chukur-Euren	334	5	...	...	...
Mukataa	223	...	...	...	...
Shehir Oya	333	...	...	...	...
Kavajik	...	1,342	...	...	...
Tahtaji	...	...	180	...	...
Total	18,284	12,909	5,490	...	...

Enclosure 4 in Annex (A).

Kaza (sub-district) of Eskijeh (Xanthi).

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Eskijeh (Xanthi)	8,997	6,216	552	220	114
Kiretchjiler	859	...	...	...	...
Buyuk Murselli	341	...	...	...	...
Kutchuk Murselli	271	...	...	...	...
Saltikli	252	...	...	...	...
Emirler Tekkeh	59	...	...	...	...
Doganja	110	...	...	...	...
Chimenler	82	...	...	...	...
Hamidli	330	...	...	...	...
Horoslu	175	...	...	...	...
Kara kir	379	...	...	...	...
Musellim	80	...	...	...	...
Musellim Tekkea	41	...	...	...	...
Saran	143	...	...	...	...
Koyun	229	886	...	...	...
Sari Kadi	14	...	...	...	...
Misvakli	298	25	...	...	...
Mizanli	241	...	...	...	...

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Yassija	204	...	...	...	...
Atmaja	77	...	...	...	...
Emirli	125	...	...	...	...
Geutchili	256	...	...	...	...
Makaflar	78	...	...	...	...
Yenijeh	844	100	...	...	...
Su Ova	58	...	...	...	...
Kara-Pazarlar	58	...	...	...	...
Tashlik	22	...	...	...	...
Itelli (Ghenjelli)	82	177	...	...	...
Mandra-Chukuru	11	...	...	...	...
Kara-Agatch	37	17	...	...	...
Ylighyn	40	...	...	...	...
Koja-Ova	143	...	...	...	...
Koja-Mahmudlu	93	...	...	...	...
Alatjilar	155	...	...	...	...
Avjilar	42	...	...	...	...
Bolistra	18	808	...	...	...
Chakal-Mahalla	...	498	...	...	...
Boyajilar	150	...	...	...	...
Dumenli	40	...	...	...	...
Kereviz	38	...	...	...	...
Elmali	32	...	...	...	...
Okjular	503	...	...	...	...
Chakirli	280	...	...	...	...
Fejirli	253	...	...	...	...
Daud	301	...	...	...	...
Choban-Mahalla	166	...	...	...	...
Thykyzly	212	...	...	...	...
Balahanli	115	...	...	...	...
Keussé-Chali	152	...	...	...	...
Kutchuk-Osmanli	155	...	...	...	...
Kara-Gueuzli	248	...	...	...	...
Jelebler	398	...	...	...	...
Ghuristan	263	...	...	...	...
Bey	193	...	...	...	...
Bey-Ovasi	169	...	...	...	...
Ineh-Hanli	151	...	...	...	...
Eukuzlu	164	...	...	...	...
Kir	372	...	...	...	...
Chegelli-Mahalla	35	...	...	...	...
Husseïn Bey	20	...	...	...	...
Nuhudlu	113	...	...	...	...
Kurt-Hassanli	823	...	...	...	...
Guenjerli	379	...	...	...	...
Gheunuklu	182	...	...	...	...
Talashmanli	195	...	...	...	...
Zinelli	238	...	...	...	...
Buyuk-Osmanli	81	...	...	...	...
Gedikler	2	...	...	...	...
Koja-Belli	14	...	...	...	...
Domuz-Orman	16	...	...	...	...
Gheunili	87	...	...	...	...
Kalfalar	6	...	...	...	...
Keukjiler	408	...	...	...	...
Uyuku	113	...	...	...	...
Sakar Kaya	220	...	...	...	...
Kutchuk-Kuru	117	...	...	...	...
Kizilja	184	...	...	...	...
Mussellimjik	39	...	...	...	...
Keusseler	88	...	...	...	...

Towns and Villages.	Turks.	Greeks.	Bulgars.	Israelites.	Armenians
Sunnetji	104	...	...	...	...
Kara-Chamlar	235	...	...	...	...
Dinekler	308	...	...	...	...
Yelkenjiler	132	...	...	...	...
Otman-Eurèn	841	...	...	...	...
Yassi-Eurèn	1,539	...	...	...	...
Sadnavitché	248	...	...	...	...
Keukji Bunar	1,228	...	...	...	...
Bashlik	959	...	...	...	...
Balkan	425	...	...	...	...
Kozluja	649	...	...	...	...
Demerjik	468	...	...	...	...
Ketenlik	928	...	...	...	...
Iliasja	259	...	...	...	...
Mustafaova	1,566	...	...	...	...
Shahin	2,190	...	...	...	...
Kara-Machat	376	...	...	...	...
Sincova	1,963	...	...	...	...
Elmalija	1,258	...	...	...	...
Suyutjuk	934	...	...	...	...
Oghrlu	1,170	...	...	...	...
Sariyer and Ilija	950	...	...	...	...
Memkouva and environs	1,458	...	...	...	...
Total	42,671	8,728	552	220	114

ANNEX (B) TO No. 6.

NOTE SUBMITTED BY THE TURKISH DELEGATION ON THE DISTRIBUTION OF LANDED PROPERTY IN WESTERN THRACE.

	Per cent.
Turks	84
Bulgars	10
Greeks	5
Others	1

Agriculture is carried on in the same proportions, that is to say, almost entirely by the Turks; moreover, the Turk is *par excellence* an agriculturist.

The trade of the district is carried on by the Turks, Greeks, Bulgars, and, above all, by the Jews.

Moreover, the following are the figures given in the memoranda handed to the Allied Powers on the 30th December, 1918, by his Excellency M. Veniselos regarding Western Thrace (Annex II):—

—	Turks.	Greeks.	Bulgars.
Dedeagatch	10,670	7,371	11,358
Sufli	32,140	17,880	5,380
Gumuljina	50,000	9,160	10,550
Xanthi	22,000	10,275	1,695

No. 7.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Fourth Meeting, November 24, 1922, at 4·30 P.M., under the presidency of Lord Curzon.

Present :

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

BULGARIA.

M. Stambouliisky.
M. Stanciof.
M. Theodorof.

Also present :

BRITISH EMPIRE.

Sir W. Tyrrell.
Major-Gen. Burnett-Stuart.
Captain Pound, R.N.
Mr. Malkin.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. Bargeton.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
M. Guariglia.
Colonel Vitale.

UNITED STATES OF AMERICA.

Mr. Amory.

Japan.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Mr. Tani.

Greece.

M. Politis.
M. Dandramis.
General Mazarakis.
M. Michalopoulos.

Roumania.

Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Christitch.
M. Antitch.

Turkey.

Munir Bey.
Moukhtar Bey.
Tevfik Bey.

Bulgaria.

General Savof.
M. Mouravief.
Mlle. Stanciof.
M. Noikof.
M. Morphof.
M. Altinof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.
Mr. Wicks.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

Lord Curzon said that a sub-commission had been appointed the day before to consider two questions: The demilitarisation of a zone or zones on the frontiers of Thrace, and the access of Bulgaria to the Ægean Sea. The sub-commission had presented a report in two parts. He would begin by asking General Weygand to read the report. He was informed by General Weygand and other members of the sub-commission that their labours had been greatly facilitated by the conciliatory temper and helpful attitude of the various members, whether of Greek, Turkish, Bulgarian or other nationality, and it was only fair that the conference should express their appreciation of the friendly spirit which had marked the work of this sub-commission.

The Bulgarian delegation having entered the room, GENERAL WEYGAND read the report of the sub-commission (Annex (A)) and a note by the Bulgarian delegation (Annex (B)).

LORD CURZON invited the delegations to express their views on the report which General Weygand had just read.

ISMET PASHA made the following remarks on the military recommendations set forth in the sub-commission's report :—

1. The request that the Turkish delegation should consent to the demilitarisation of a strip of territory 30 kilom. broad along the Turkish frontier in Europe meant that Turkey was being asked to renounce altogether her means for defending a district of vital importance for her. Under these conditions, Adrianople, which had hitherto been a defensive fortress, would lose that character, and Turkey would be deprived of the power to defend the line of the Maritza.

On the other hand, neither Bulgaria nor Western Thrace had any need of means of defence on their frontiers; this was proved by the principles of military science and by past experience. It would be a very serious sacrifice for Turkey to be deprived of the use of a defensive zone encircling her territory.

This sacrifice would not be justifiable unless the signatory Powers formally guaranteed the inviolability of the zone which it was proposed to deprive of its means of defence.

If no such guarantee were given, Turkey's neighbours would profit at her expense by the demilitarisation of a zone along her frontiers. The consequent weakening of Turkey would encourage the ambitions of other countries, and such a solution would never conduce to the establishment of lasting peace.

Consequently, the Turkish delegation could not consent to Turkey being deprived of the means of defending a zone along her European frontiers, unless there were an international undertaking to prevent the violation of that zone. This proved conclusively that Turkey meant to ensure and respect the peace of the world, and wished to be an element of order and peace in Europe.

2. As regards the guarantee for the non-military character of this zone, Turkey could not in any way accept the exercise of foreign supervision over any part of her territory. She would faithfully fulfil all her engagements. Any penetration of the Turkish army into the neutral zone, in violation of Turkey's promises, would immediately be known; and fortifications could not be erected secretly at Adrianople within the space of a few days. Demilitarisation, therefore, did not involve the exercise of any surveillance. The signatory Powers could only be called upon to defend the neutrality and inviolability of the demilitarised zone when the armies of one of the two parties penetrated into the neutral zone for offensive purposes, or when offensive and defensive military measures on a large scale were undertaken there. Fair complaints and protests on this subject by one of the two parties could be investigated when necessary by a commission composed of representatives of the signatory Powers.

3. The frontiers of Eastern Thrace claimed by the Turkish

delegation were those given to Turkey by the Treaty of Constantinople of the 29th September, 1913, because that claim appeared to her, both in fact and in law, to be as moderate as it was justified. Surely it would be recognised that in claiming that frontier, and at the same time consenting to demilitarisation, the Turkish Government had no offensive purpose in mind, and that their claim rested on ethnic and economic considerations.

4. It must be expressly and formally stipulated that Turkey's sovereign rights over the neutralised and demilitarised zone should not be impugned in any way whatever.

M. VENISELOS agreed with the Turkish delegation in recognising that the demilitarisation of the zone in question would have no real value without the guarantee of all the Powers signing the treaty, but he could not accept or understand the refusal of the Turkish delegation to agree to a continuous surveillance over that zone. It was essential that this surveillance should be permanent, for if the proposal of the Turkish delegation were accepted, whenever an incident occurred in the zone, the fact would first of all have to be reported. An enquiry would then be ordered, and this would take some time; but in twenty-four hours an army could cross the zone in question and reach the neighbouring frontier, and even cross it.

It must be recognised that the exercise of a continuous control was absolutely necessary in order to prevent, if possible, any violation of the demilitarisation clauses. Permanent surveillance could prevent incidents. The system proposed by the Turkish delegation would only provide for the verification of an accomplished fact.

M. STAMBOULIISKY agreed in principle to all necessary measures being taken for the preservation of peace in the Balkans. He added, however, that Bulgaria was already demilitarised under the Treaty of Neuilly, and that the creation of a demilitarised zone on her territory was in no way imposed on her by that treaty. By accepting such a stipulation, tho Bulgarian Government would thus be giving its benevolent consent to a concession which it was in no way obliged to make.

ISMET PASHA said that, in consenting to demilitarisation, the Turkish delegation were making a very grievous sacrifice, namely, that of the great fortress of Adrianople. Everyone knew that new fortifications could not be constructed at Adrianople within twenty-four hours. M. Veniselos had spoken of unexpected incidents; such incidents could not have the character of a military offensive. Concentrations of troops of any importance were always noticed immediately. He would not touch on the other sacrifices which this demilitarisation would involve; the one which he had mentioned was very important in itself, and could not be compared to any other sacrifice. He drew the conclusion that supervision was not in the least necessary.

LORD CURZON wished to make some observations on the remarks which the commission had just heard. He was very glad to find that the suggestion for the creation of demilitarised zones on the Turco-Bulgar and Turco-Greek frontiers had been so favourably received by the sub-commission. He was sorry to hear the Turkish delegation speak of the creation of these zones as entailing a grave sacrifice for Turkey; the proposal had, on the contrary, been made in the interests of general peace and of the security of Turkey herself. Ismet Pasha had spoken about the sacrifices imposed upon Turkey in respect of the demilitarisation of Adrianople. That was a military question upon which he hesitated to offer an opinion, but military experts had told him that the geographical position of Adrianople at the very corner of Turkish territory did not, in the conditions of modern warfare, constitute such powerful means of defence as the Turkish observations had seemed to imply.

The Turkish delegates had said that they were most reluctant to agree to demilitarised zones unless guaranteed by all the Powers who were to sign the treaty. That raised a very large question which could not be decided at the conference table and would have to be considered by the various Governments concerned. Such a guarantee was of a very serious and ominous character, and any Government assuming it must consider most carefully the consequences which it would entail. The kind of neutrality which the Turkish delegation had in view was that the signatory Powers, in the event of violation, should be bound individually and collectively to regard it as an act of war. That statement alone was a measure of the seriousness of the obligation which they invited the Powers to assume. That was not, however, the only kind of neutrality possible. It might prove desirable to examine in due course the various other forms of neutralisation which could be adopted. The delegates were dealing that day with only a very small section of this great question, namely, two strips on either side of one particular frontier. As they proceeded further with their labours, they would find several other zones to be demilitarised. The question of zones would be raised again in connection with the Straits—the security and demilitarisation of both sides of the Dardanelles—a question which had been admitted by Turkey in her correspondence with the Powers. The same question would arise in connection with the Bosphorus. It was therefore somewhat risky to lay down general principles applying to a particularly narrow territory, which would not be properly applicable elsewhere. He therefore thought that discussion on the degree and manner of neutralisation should be deferred until the conference came to deal with those other areas.

He was somewhat surprised at the attitude of the Turkish delegation on the question of inspection. They had said they were not prepared to consent to foreign inspection in any form, except when violation of the neutralised area had formed the subject of complaints. Their attitude had been very forcibly criticised by M. Veniselos. He (Lord Curzon) could not imagine how demilitarisation was possible without inspection. It was surely very inconsistent to ask the Powers of Europe to assume the responsibility of guaranteeing a demilitarised zone and yet to deny them the opportunity of entering it from day to day, from month to month, or from year to year, or of knowing what was going on there. If Turkey were going to approach the Powers in that spirit, she would undoubtedly find great difficulty in getting a favourable reply to her request for a guarantee. Such an attitude taken up by the Turkish delegation was not quite consistent with the report of the sub-commission, which said that, while all the signatories had agreed to inspection by officers attached to the Economic Commission, the Turkish delegation had made a reservation to the effect that they would only accept inspection if the zone were placed under the guarantee of the Powers. It was therefore clear that when the Turkish delegates signed the report on the matter, they did not hold the opinion in regard to inspection which Ismet Pasha had just indicated in his speech. He must say, on behalf of the British Government, that they would certainly be most reluctant to assume the responsibility for a demilitarised zone without having every opportunity of knowing what was going on inside it.

M. BARRÈRE said that he was in entire agreement with Lord Curzon's views. The guarantees asked for by the Turkish delegation were far too grave to be granted without consulting the Governments concerned. Like Lord Curzon, he thought that it would be better to seek for other forms of neutralisation than that proposed by the Turkish delegation, of such a nature as ultimately to satisfy that delegation. This investigation would in any case be of the greatest interest. Whatever the final decision might be, he wished to put one clear question to the Turkish delegation, and hoped to obtain a clear answer: Were the guarantees which Ismet Pasha had in mind of a military nature?

ISMET PASHA said that the question amounted to this: Turkey was asked not to construct fortresses on her frontiers; she agreed, and thus renounced her means of military defence. It was perfectly just that she should claim in return corresponding guarantees—that is to say, military and political. He thanked Lord Curzon for his readiness to have the question examined further in a broad and conciliatory spirit.

LORD CURZON said that the question would be thoroughly examined later on in conjunction with that of other zones to be demilitarised under the treaty. He proposed that the commission should pass on to discuss the question of a Bulgarian economic outlet on the Ægean Sea.

ISMET PASHA observed that in the second part of the sub-commission's report treaties were quoted of which the Turkish delegation were not cognisant. Nevertheless they accepted some of the ideas contained therein, with the following reservations:—

1. In connection with the constitution of the proposed commission for the port of Dedeagatch, mention had been made of a treaty between Greece and the Principal Allied Powers on the subject of Thrace. That treaty not having been ratified, he asked that the passage alluding to it in the report should be suppressed.

2. The sole idea underlying the supervision of the railway by the Dedeagatch Port Commission was one which Turkey shared—to facilitate economic relations; but that supervision must not imply any right to intervene in the administration of the railway.

LORD CURZON said that Ismet Pasha had objected to the sub-commission referring in its report to the Thracian Treaty of 1920.

Ismet Pasha might not like to admit that he knew anything about this treaty, which had not been ratified; but in point of fact his Excellency knew just as much about it as anyone else in the room. If the sub-commission had not mentioned it in their report, it would have had the effect of making that document almost ridiculous, and he therefore hoped that Ismet Pasha would shut his eyes to the irregularity of which he had complained. Ismet Pasha had said that the report of the sub-commission must not be interpreted as implying any right for the port commission to intervene in the administration of the Dedeagatch railway. He could only assume that Ismet Pasha had not read the report, which spoke at the end of paragraph 2 of "the supervision of the exploitation of the railway running from Dedeagatch to the Bulgarian frontier." It was obvious that the international commission was not going to look after the port only, but also to supervise the management of the railway going to it. He thought it quite impossible to separate the two questions. Of course, the commission to be set up were not going to be so foolish as to attempt to manage the railway themselves.

M. VENISELOS said that the Greek Government would accept the dispositions limiting their sovereignty in so far as the control and exploitation of the railway from the Bulgarian frontier to Dedeagatch were concerned, and would even agree to the direction of the port of Dedeagatch being confided to an international commission. He had himself proposed to the Greek Government that they should accept the setting up of an international commission with full powers for supervising the railway and managing the port; for he knew that without such measures the port would not be really free. The Greek Government had given him full power to accept that solution. He noted with regret that the sub-commission's resolutions did not apparently satisfy the Bulgarian delegates, as was shown by their reservation to the report.

M. MORPHOF, technical adviser, read the following statement in the name of the Bulgarian delegation :—

"The Powers' decision to re-establish Turkey in Europe with the frontiers which she possessed before the Treaty of Sèvres of necessity involves a resettlement of the status of Western or Bulgarian Thrace.

"Greece occupied that province in virtue of a mandate from the Principal Allied Powers, to whom the Treaty of Neuilly had obliged Bulgaria to cede the territory comprised between the Mesta, the mountains of Rhodope, the Maritza and the sea. This mandate itself was conferred after the San Remo Conference (April 1920) in view of the treaty which three months later gave Greece Eastern or Turkish Thrace. If that treaty (that of Sèvres), including its territorial provisions, had not been under consideration, it would be difficult to explain this double transmission of powers, since all the other territorial cessions imposed on Bulgaria were made directly to the neighbouring States, including Greece, without the interposition of the Principal Allied and Associated Powers. Still less could it be explained when it was realised that Bulgarian authority in Western Thrace had been replaced not only by an Allied military occupation, but also by an inter-Allied civil administration, which had continued for nearly a year and had required considerable local assistance.

"The situation contemplated by the Treaty of Sèvres has just undergone a radical change; the Principal Allied Powers have re-established Ottoman sovereignty over all territory to the east of the Maritza; by this act they have implicitly recognised the necessity for a re-examination of the whole Thracian territorial problem.

"Bulgaria, more than any other State, is interested in this settlement, not only as the former sovereign of Western Thrace, but also because she wishes to obtain effective guarantees of her right to free access to the Ægean, which was recognised by the Powers in article 48 of the Treaty of Neuilly.

"Bulgaria obtained possession of Western Thrace by two treaties which she had to sign as a conquered, isolated and abandoned country: the Treaty of Bucharest of the 10th August, 1913, and the Treaty of Constantinople of the 13th September, 1913.

"While negotiations were proceeding at Bucharest, Greek troops occupied the whole of Western Thrace, and Bulgaria was at the mercy of her enemies; nevertheless, M. Veniselos, Prime Minister and head of the Greek delegation, abandoned without difficulty the first proposals of peace which he had made under pressure from King Constantine.

"The difference of opinion did not then relate to Dedeagatch and the shores of Thrace, where Bulgaria's claim was not contested; it concerned Kavalla, which M. Veniselos was ready to hand over to Bulgaria, and the Powers at that time advised him to cede it. Despite this, Kavalla was given to Greece and the Græco-Bulgarian frontier fixed at the Mesta owing to the energetic intervention of the Emperor William II at the instigation of King Constantine.* In return for that service the Emperor William, as will be remembered, demanded on the 4th August, 1914, a proof of gratitude from King Constantine by reminding him, through the Greek Minister at Berlin, that it was 'thanks to the support of His Imperial Majesty that Greece had finally kept Kavalla.'† King Constantine's ambition thus triumphed over the moderation of his Minister.

"M. Veniselos's policy towards Bulgaria was based in 1913, as in 1915, on a reasonable conception of Hellenic interests. In a speech made in the Chamber at Athens on the 13th March, 1913, M. Veniselos declared openly and courageously that he claimed no territory east of the Struma, not because Bulgaria claimed possession of it, but because 'we are forced to this by geographical reasons.' These geographical reasons were so strong that M. Veniselos deliberately refused ever to extend the frontiers of Greece in that direction. 'I would not accept such a frontier, which would involve us in great danger; for if we were to extend our boundaries indefinitely along the coast so as to include all the Greek population in Thrace, Greece would be weaker with such a long spineless strip of territory than if her frontiers were rounded off in another direction.'

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* The late King Carol of Roumania said, at an interview on the 22nd March, 1914, in speaking of Kavalla: "I did not insist, because the Emperor of Germany had sent an energetic telegram in King Constantine's favour, and because I knew his wishes in this connection."

† Greek White Book, 1917, No. 19.

"The truth of these remarks and the force of the reasoning used by M. Veniselos are obvious on looking at the map. Western Thrace is, in fact, organically connected with the upper valley of the Maritza, a Bulgarian river, and with the mountains of Rhodope, which the Treaty of Neuilly left to Bulgaria; it is the prolongation and natural terminus of the roads and communications which connect Bulgaria with the sea by the valleys of the Mesta and the Maritza. This is so evident that when, as a result of the war between the Balkan Allies in 1913, Turkey recovered Eastern Thrace (which she had lost by the Treaty of London of the 30th May, 1913), and threatened to divide Southern Bulgaria, she voluntarily consented by the Treaty of Constantinople and by a later convention with Bulgaria to recognise Bulgarian sovereignty in this region, regarding the line of the Maritza as a perfectly secure frontier. This is the same line as that claimed by the National Pact of the Grand Assembly of Angora, beyond which the Turks after their victory in Anatolia did not wish to pass.

"This evidence, based on topography, should render other arguments superfluous. It is, however, striking that so early as 1838, when Bulgaria was only a Turkish province and the Bulgars an oppressed people with no national organisation, a learned foreign traveller (Griesebach) mentioned the mouth of the Maritza as the site for the port of the Bulgaria of the future.

"This port, situated on the left bank of the river and near its mouth, is Dedeagatch.

"Dedeagatch was designed to be the port of all the eastern Balkan peninsula, *i.e.*, of Bulgaria. The railway which connects it with Adrianople, Philippopolis and Jambol—one of the first lines to be constructed in Turkey—was inaugurated in 1872, before the Constantinople line. This indicates the importance which the port was destined to have in the development of relations between overseas countries and what has since become Bulgaria.

"The district of Stara-Zagora and Tirnovo-Seymen in the centre of Southern Bulgaria is nearer to Dedeagatch on the Ægean than to Bourgas on the Black Sea. The railway along the Maritza from this district to Dedeagatch is a much more convenient and less expensive route than that to Bourgas. On the other hand, although the centre of Danubian Bulgaria (the district of Gorna-Grehovitza) is nearer Varna than Dedeagatch, the advantages of direct communication with Dedeagatch and thence with foreign countries are so manifest that they largely compensate the difference in distance.

"Finally, a large portion of Bulgarian exports which are now obliged to go down the Danube for further transport by sea will necessarily be diverted towards Dedeagatch when that port has been constructed and equipped. However, in order to attain its full development this port should be directly connected with the country whose needs it is to serve.

"A great port is not merely a place for loading and unloading goods. It is the centre of import and export trade, and consequently of great economic importance. Its influence extends over all the districts whose products it receives. It is the market where the prices of goods are fixed in accordance with those ruling at their destinations. It is the exchange where business is transacted and transport terms regulated between the producer, the purchaser and the shipper. Law suits and disputes between the parties are heard and settled there. All these complicated operations require chambers and tribunals of commerce, banks, steamship agents, brokers, &c. All these institutions and persons cannot work together for the good of the country served by the port unless their interests coincide with those of the local Government, which must be of the same nationality. A foreign authority and the individuals whom it favours would only seek to subordinate the traffic to their own interests. Dedeagatch as a Bulgarian port will attract two-thirds of the traffic of Bourgas, one-third of that of Varna and a quarter of the traffic on the Danube, and would thus come to deal with 600,000 to 700,000 tons of imports and exports with the prospect of an even greater development later. If, on the other hand, the port is left in its present state, it will languish like a wretched little landing-stage, of no interest to anybody.

"But the point at issue is not merely the future prosperity of a port whose equipment is still inadequate; it is the economic prosperity of the hinterland, which extends as far as the Danube, and even beyond; it is the commercial relations of these naturally rich countries with the Mediterranean basin and all the industrial world to the west.

"Bulgaria, which comprises all the south-eastern part of the Balkans, with a southern frontier only 30 kilom. from the coast in places, is the only country interested in the fitting up of a modern port on the Ægean capable of serving as an *entrepôt* for goods from all Western countries. Greece, on the other hand, possesses too many ports, and would be the last country to incur the enormous expense entailed by the fitting up of Dedeagatch.

"The present frontier between Bulgaria and Greece in Thrace, if maintained, would not only kill the future of this port, but also permanently injure Bulgaria's economic relations with the countries on the Mediterranean and beyond. It would be disastrous to the vital interests of the local population, which deserves all sympathy after its many sufferings. The population of Western Thrace consists of farmers in the plains and artisans or cattle-breeders in the hill country. Each year under Turkish or Bulgarian rule 8,000 to 10,000 men used to go down into the plains to work in the fields or in the manipulation of tobacco; the vast herds, which formed one of the chief riches of the country, also used to leave the hill country at the approach of the bad season and go in hundreds of thousands to spend the winter in the milder climate of the plain. The political frontier of 1920 has put a stop to these movements, causing great uneasiness among the people of both hills and plains.

"Geographical and economic considerations alone are sufficient to justify a change in the present status of Western Thrace; they carry the same conviction as natural phenomena. Ethnical considerations, which cannot be neglected without the risk of perpetuating unrest in the East, also tell against the maintenance of a Greek mandate over the province.

"Western Thrace is inhabited by three main elements: Bulgars, Turks and Greeks, plus an insignificant minority of Jews and Armenians. The Bulgars and Turks, who live in the hills and the country as well as in the towns, are farmers and artisans. The Greeks, as is the case throughout the Eastern Mediterranean, live in colonies on the coast and are sailors and fishermen; they rarely work on the land, and if one sees a village of Greek agriculturalists one can always be sure that they are Bulgars Hellenised by the efforts of the Greek Church. That Church, while planning a Byzantine restoration, has made special endeavours in Thrace to consolidate Hellenic positions, taking great advantage of the privileges accorded to it by the old régime in Turkey.

"However, the resistance of the large, healthy, hard-working Bulgar element was so strong that it succeeded in surviving, despite the double persecution, political and national, to which it was subjected for so many years. On the eve of the Balkan war, the Bulgars formed 41 per cent. of the population in the sandjak of Dedeagatch, and 57 per cent. in that of Gumuldjina, including Mussulman Bulgars or Pomaks. The Greeks, on the other hand, only constituted 27 per cent. and 5 per cent. respectively.

"All the country to the north and north-west of Dedeagatch is essentially Bulgar. Even Greek statistics admit the preponderance of the Bulgar over the Greek element in the old kaza of Dedeagatch, giving 11,358 Bulgars and only 7,371 Greeks. The Bulgarian population is in fact much more numerous and gives to the region between the mountains, the Maritza and the coast its ethnical physiognomy.

"The Treaty of Neuilly deprived Bulgaria of sixty-one Bulgarian communes in this district, some of which like Golem (Buyouk)-Dervent, Merikos, Doughan, Hissar, Monastir, &c., are really small towns. In the town of Dedeagatch itself Bulgarians already owned three-quarters of the land immediately before the Balkan war.

"The Treaty of Neuilly left to Bulgaria part of the mountainous district to the north of Xanthi, Gumuldjina and Dedeagatch, inhabited chiefly by Pomaks, who speak remarkably pure Bulgarian. But in the part first administered by the Allies and subsequently occupied by Greece, the Bulgarian element exceeded the Greek. The census made in March 1920 by the inter-Allied authorities, under conditions specially favourable to Hellenism (it was known that the province was going to be given to Greece, whose troops were already in occupation of the department of Xanthi), gave the following results:—

"Christian Bulgars	69,154	80,893
"Mussulman Bulgars (Pomaks)	11,739	
"Turks		73,220
"Greeks		51,706
"Jews		3,000
"Armenians		1,969
"Tsiganes		1,834

"The authenticity of these figures could not be disputed by any of the nationalities concerned. Any other statistics which the Greeks might set against the figures given by the inter-Allied authorities would be tinged with partiality.

" *Conclusion.*

"Geographical, economic and ethnical reasons demand the withdrawal of the provisional mandate from Greece, and the conferring on Western Thrace of a status conforming more closely with the general interests of the peoples of the Balkans and of Europe in general. The political events of the last two years in the Near East strongly confirm this necessity."

M. Morphof asked what the solution should be.

"The Bulgarian Government aspires to no territorial expansion and its sole concern is the welfare of the population and the pacification of these troublous regions; it therefore suggested converting the whole of Thrace into an autonomous State—a solution which seemed to it capable of reconciling all the various points of view. Bulgaria would view with sympathy the formation of such a State on her borders. But since the Powers recognised Turkey's right to take back Eastern Thrace up to the line of the Maritza on the west, the aspect of the problem has changed. The Bulgarian Government thus finds itself forced to claim the rights to which it is entitled under article 48 of the Treaty of Neuilly. This treaty imposed grievous sacrifices on the Bulgarian nation and crushing burdens on the still young and impoverished Bulgarian State; but it contains the promise of the Great Allied Powers regarding free access to the Ægean. The Bulgarian Government has already had the honour to explain to the Powers several times, notably at the Genoa Conference, that this access will not be effective unless it leads across a territory possessing at least an autonomous régime. The Bulgarian Government, trusting in the wisdom of the three Great Allied and Associated Powers, co-sovereigns in Thrace, thinks that the proposed solution is at present the only one in harmony with the purpose of the conference and the supreme interest of peace.

"The Bulgarian delegation have in mind the words of the eminent historian and politician, M. Hanotaux, who said that international ports are defenceless, unprotected, deprived of normal development and at the mercy of stray ambitions, and that conflicts, which it was intended to prevent, are simply postponed until a more propitious occasion arises.

"To avoid such conflicts, the Bulgarian delegation, from purely technical and economic motives, consider that the régime provided by the formula discussed by the sub-commission on the 24th November—'In order to realise and guarantee the freedom of economic outlet on the Ægean promised to Bulgaria by article 48 of the Treaty of Neuilly . . . .'—in no way ensures for Bulgaria the possibility of maintaining freedom of trade with oversea States.

"It is only by direct possession of sufficient territory around the railway and port, or by placing that territory under a fully autonomous régime, economically tied to Bulgaria by special provisions, similar to those in force for the port of Danzig, that the port of Dedeagatch could be constructed, maintained and exploited in accordance with the economic interests of Bulgaria."

LORD CURZON said that a very carefully prepared document setting forth the views of the Bulgarian delegation had been read out, but for the moment the point at issue was the demand made by the Bulgarian delegation in the note annexed to the sub-commission's report to the effect that if Dedeagatch was to be of any use to Bulgaria she must have full sovereignty over it, or that there should at least be an autonomous régime there. It would take a long time to discuss this matter, but he wished to make the following observations. The creation of an autonomous area at Dedeagatch or of a Bulgarian property there was never contemplated by the Treaty of Neuilly. Article 48 of that treaty only said: "The Principal Allied and Associated Powers undertake to ensure the economic outlet of Bulgaria to the Ægean Sea." The present meeting was trying to give effect to this undertaking. In the treaty of the 10th August, 1920 (if Ismet Pasha would pardon him for mentioning it), articles 4, 5 and 6 contained detailed provisions whereby Greece undertook to accord a lease in perpetuity of the area required for the service of the port. The case put forward by Bulgaria was therefore an entirely new one, to which he was most reluctant to assent. Further, what was the object of all the arrangements with which the conference was concerned? It was to produce a spirit of reconciliation and peace in those parts of the world. The plans for a railway and separate port were designed for that end. On the other hand, if it were now decided to set up a little Bulgarian enclave in Greek territory, that would be making for friction, trouble and even worse in the future. He would say to the Bulgarian Prime Minister that by the arrangements proposed by the sub-commission, Bulgaria was going to get a great deal—to achieve the object for which she had contended for three years, namely, the implementing of the Treaty of Neuilly. The Powers were now doing their best to secure it; he would therefore urge M. Stambouliisky to accept what he was now offered and not to seek the impossible. It was thanks to his (Lord Curzon's) action at Paris in September that the Bulgarian delegation were now afforded the opportunity of stating their case.

M. STAMBOULIISKY said that he was grateful for the benevolent support given him by the Powers. He had ventured to ask for facilities for the Bulgarian economic outlet on the Ægean because the commission had asked him to indicate the conditions necessary for the efficient working of that outlet. He thought that if the land on which the port of Deadeagatch was to be constructed were not confided to an international administration or to the League of Nations, efficient working would be impossible. Bulgaria was asked to consent to the demilitarisation of a zone contiguous to her frontier, for which no provision was made in the Treaty of Neuilly. He thought he could not be refused the right to make observations about a treaty which was not yet ratified.

M. VENISELOS said that the Bulgarian delegation had tried to put him in a false position by stating that he had contradicted himself. In 1912 he had tried to create a Balkan Confederation, and had done everything possible and spared no concession to achieve this end. He had consented, in particular, to the Bulgars obtaining a large portion of Eastern Thrace, Western Thrace, Eastern Macedonia, and even half of Central Macedonia. He had gone so far as to concede that the Bulgars should establish themselves up to 16 kilom. north of Salonica. He had thus abandoned to Bulgaria 1,000,000 Greeks.

He had only asked in exchange from Bulgaria some concessions in Western Macedonia for the benefit of the three other allies, Greece, Serbia and Montenegro. But Bulgaria did not accept his offer, and that was why the second Balkan war broke out.

Again, although Bulgaria had possessed Western Thrace for several years, she had never thought of creating a port at Dedeagatch. She was then constantly claiming Kavalla. During the Great War he had proposed to the then King of Greece to cede Kavalla to Bulgaria in order to induce the latter to come to the side of the Allies. Bulgaria did not accept this; she sided with the Central Powers of her own free choice.

He was surprised that the Bulgarian delegation should now declare that Bulgaria could not utilise the port of Dedeagatch if it were under foreign rule. Czechoslovakia was a much richer and more important country than Bulgaria—he hoped that the Bulgarian delegation would have no difficulty in recognising this; but she had no port of her own and had to ship her goods through a port belonging to another State. The same was true of Hungary and Poland. Bulgaria, on the other hand, had good ports on the Black Sea. Why could not Bulgarian goods pass through a port under an international control in a foreign country?

The Bulgarian delegation said that Bulgaria needed territory of her own for the concentration of her goods; but the present question was one of transit and reshipment, not of concentration.

Bulgaria's demand seemed all the more strange since she would agree to Dedeagatch belonging not to Greece, but to some other State, for instance, to an autonomous State of Western Thrace, and recognised that in the latter case she could utilise the port.

As regards the demilitarisation of a zone contiguous to the frontier, the Bulgarian delegation said that such a demand entailed a sacrifice for which Bulgaria desired compensation. M. Veniselos observed that there was a counterpart to this demilitarisation, namely, the demilitarisation of the frontiers of Bulgaria's neighbours. As the Bulgarian delegation itself declared, Bulgaria was already partly demilitarised under the Treaty of Neuilly, and therefore the demilitarisation of her neighbours was, if anything, an advantage and a further guarantee of security for her.

The conference had met in order to make peace, and all the delegations, he hoped, were imbued with this desire. Greece, after her defeat by Turkey, had asked M. Veniselos to represent her at the conference; he had accepted that mission, but only on condition that the Greek Government should abandon Eastern Thrace in order to terminate hostilities and comply with the desire of his former Allies. But it was really too much that a third Power, which had not taken part in the last struggle, should consider Greece as beaten by it and demand the cession of part of her territory. Such a demand exceeded all bounds.

M. STAMBOULIISKY regretted that Bulgaria and Greece had respectively changed rôles. The conference had just heard arguments which unfortunately reminded the Bulgarians of the language of their own late rulers. Those rulers had led their country to two national disasters, the grievous consequences of which Bulgaria was now suffering. The very purpose of his (M. Stambouliisky's) previous speech was to decline such a responsibility as regards the future. He could not refrain from remarking that M. Veniselos's tone and language were somewhat heated. Once more he appealed to new Greece and to the Lausanne Conference to settle the question of Bulgaria's outlet so as to ensure lasting peace in the Balkans. M. Veniselos had said that Bulgaria had too many ports; it seemed that this reproach should rather have been addressed to Greece, for it was easier to count the ports of Bulgaria than those of Greece. He repeated that Bulgaria also was in favour of sincere and lasting peace in the Balkans, and that was why he had insisted so strongly that the question should at last be happily solved. Finally, if he might say so, the tone in which M. Veniselos had spoken seemed to prove in advance that the Bulgarian Government might have some legitimate doubt regarding the efficacy of a Bulgarian outlet on the Ægean so long as the existing circumstances and régime continued.

ISMET PASHA said that Bulgaria was right in wishing to profit to the greatest possible extent by the port of Dedeagatch. The only thing which had prevented Bulgaria from utilising and improving the port had been the useless prolongation of the war by Greece. Greece had thus caused much suffering to Bulgaria. He felt obliged for conscience's sake to add this to his previous remarks.

M. VENISELOS protested against the reproach made against him by the Bulgarian delegate of having spoken with passion. His tone had perhaps been rather vivacious, but he had spoken without any animosity.

LORD CURZON said that during the exchange of fraternal embraces which had just been witnessed the commission had rather forgotten the report before them. The greater part of the report was apparently accepted, but one important point had been reserved by the Turkish delegation, namely, their suggestion that the demilitarised zone should also be neutralised. That point could be held over for a more opportune moment when other demilitarised zones would be under consideration. Further, he understood that the intention of the Bulgarian delegation was merely to place their views before the conference regarding the best way in which arrangements could be made for providing access for Bulgaria to the Ægean. It remained only for the conference to take note of the report of the sub-commission. He proposed to resume on the following day the general question of frontiers, and to pass on to other questions as soon as the discussion on the frontiers of Thrace was completed.

ISMET PASHA reserved the right to reply next day to the further remarks of M. Veniselos.

(*The commission rose at* 6·50 P.M.)

ANNEX (A) TO NO. 7.

Report of the Sub-Commission set up by the First Commission to examine: (1) The conditions in which a demilitarised zone can be organised on both sides of the frontier of Eastern Thrace; (2) The measures to be taken to assure to Bulgaria a free outlet to the Ægean Sea.*

THE present report comprises two parts:—

The first includes questions of a military nature.
The second includes questions of an economic nature.

The president of the sub-commission,
WEYGAND.

November 24, 1922.

PART I.—*Military Questions (Demilitarised Zone).*

1. It has seemed necessary in the first place to define what is to be understood by the term "demilitarised zone."

By the term "demilitarised zone" must be understood an extent of territory in which, with the object of avoiding causes of conflict—

(*a.*) No offensive or defensive organisation is to exist; that is to say, no fortified work, either permanent or field, no arsenal, depot of munitions or of war material; generally speaking, no establishment with a military object;
(*b.*) There are to be stationed or moved no armed forces beyond the special units necessary to assure internal order and the supervision of the frontiers, such as gendarmerie, police, customs officials and frontier guards, whose numbers and armament shall be limited.

The Turkish delegation, while approving this definition, have nevertheless made the following reservation: They consider that the demilitarisation thus defined does not carry with it sufficient guarantees for Turkey.

The Turkish delegation draw special attention to the fact that the obligation which will be placed upon it to suppress the fortified area of Adrianople will not correspond to any similar counterbalancing obligation on the part of the Greeks and Bulgarians.

They request, therefore, that the demilitarised zone be declared neutral, and that the inviolability of that zone be placed under the joint and several guarantee of the signatory Powers. The Greek delegation associate themselves with this request.

2. The extent of the demilitarised zone shall be such that its breadth may be greater than one day's march for troops and than the range of medium artillery. These considerations lead to the proposal

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* The sub-commission has considered it necessary to invite the Bulgarian delegation to take part in this examination.

for an extent of about 30 kiloms. on both sides of the frontier. The attached map* shows, by way of example, a tracing of a demilitarised zone thus fixed, taking for its base the frontier of the Treaty of Neuilly from the Black Sea to the Maritza, and then following the course of the Maritza as far as the Ægean Sea.

The exact demarcation of the limits of this zone will have to be determined in a more precise manner upon the map, when once the principle has been adopted.

The request of the Turkish delegation has been agreed to that, if the frontier were to be carried further westward, the demilitarised zone would similarly be carried further westward to the same extent.

Furthermore, the Turkish delegation have made the following reservation : their adhesion in principle to the method of determining the extent of the demilitarised zone does not imply the abandonment of the point of view enunciated by the first Turkish delegate in regard to the frontiers claimed by Turkey, in particular as far as concerns the territory surrendered to Bulgaria by the Treaty of Neuilly, a surrender which is not recognised as binding by Turkey.

On the other hand, the Turkish delegate has made the following reservation : the participation of the Greek delegate in this discussion does not imply that the Turkish delegate accepts the attribution to Greece of Western Thrace.

Although the Treaty of Neuilly does not carry with it any obligation on the part of Bulgaria to demilitarise part of her territory, the Bulgarian delegate, in the interests of peace, has announced his adhesion to this project, which should presumably form the subject of a special protocol as far as Bulgaria is concerned.

3. All fortified works, whether permanent or field, actually existing in this zone are to be disarmed and dismantled by the different Powers interested within their respective territory. No new work of this nature shall be constructed nor shall there be organised any depot of arms or of offensive or defensive war material of a military, naval, or aeronautical nature.

4. The only forces which are authorised to be stationed or moved within this zone (such as the forces of gendarmerie, police, customs officials and frontier guards) shall have a maximum strength determined by taking into account the area and population of the demilitarised territories, the large centres of population which they contain, the extent of the frontiers and the nature of the ground.

In accordance with these considerations the maximum strength proposed is :—

(*a.*) In the demilitarised zone on Turkish territory, a total of 5,000 men.

(*b.*) In the demilitarised zone on Bulgarian territory, a total of 2,500 men.†

(*c.*) In the demilitarised zone on Greek territory, a total of 2,500 men.

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* Not reproduced.

† See footnote to the following paragraph.

The armament of these forces shall include only the revolver, the sword, the rifle and four automatic rifles* for every 100 men. All artillery shall be forbidden.

These forces shall not include any aviation units.

Military aircraft shall be forbidden to fly over the demilitarised zone.

Note.—With regard to machine-guns, the opinion of the majority of the sub-commission is that they should be totally suppressed. The Turkish delegate "considers it necessary on account of the insecurity of the frontier and of the neutralised territories, that two machine-guns for every 1,000 men should be allowed."

The execution and supervision of the above measures shall be ensured by attaching to the Economic Commission, whose organisation is provided for in Part II below, officers specially entrusted with those duties.

The Turkish delegation state that they only agree to the principle of supervision on condition that the principle be admitted of a neutral zone the inviolability of which shall be placed under the joint and several guarantee of the signatory Powers.

PART II.—*Economic Questions.*

As regards the economic outlet of Bulgaria to the Ægean Sea, the sub-commission makes the following recommendation :—

In order to carry out the promise of an economic outlet to the Ægean Sea made to Bulgaria in article 48 of the Treaty of Neuilly, and to secure the freedom of that outlet, an international commission should be set up which should have the most extensive powers to undertake, by any means which it should deem necessary, the construction and equipment at Dedeagatch or in its neighbourhood of a free port open to the trade of all nations.

This commission, following if necessary the lines laid down by the treaty of the 10th August, 1920,† regarding Thrace and other similar provisions, shall likewise assure the direction, administration, development and progressive improvement of this port and its annexes, as well as the supervision of the exploitation of the railway running from Dedeagatch as far as the Bulgarian frontier.

The British Empire, France, Italy, Bulgaria, Greece, Roumania, the Kingdom of the Serbs, Croats and Slovenes and Turkey shall each have a representative on this commission.

The post of president shall be filled in rotation by the representative of the three first-named Powers.

The commission shall establish its own regulations.‡

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* It is understood that these dispositions shall not effect any augmentation in the strength of the personnel laid down in the categories mentioned in article 69 of the Treaty of Neuilly, or the armaments laid down for this personnel.

It being understood that the Bulgarian army possesses no automatic rifles, Bulgaria shall be authorised to obtain the necessary automatic rifles.

† A treaty signed by the Principal Allied Powers and Greece and not ratified.

‡ For subsequent developments of this question, see documents Nos. 28A and 28B, pp. 457 and 458.

ANNEX (B) TO No. 7.

Note by the Bulgarian Delegation.

In the "sub-sub"-commission the Bulgarian technical delegate has stated the reasons, of a purely technical and economic nature, for which the regime provided by the formula discussed by the "sub-sub"-commission on the 24th November: "With the object of providing and guaranteeing the freedom of the economic outlets to the Ægean Sea promised to Bulgaria by article 48 of the Treaty of Neuilly . . . . ," does not in any way secure to Bulgaria the possibility of maintaining freedom of trade with overseas States.

It is only by direct possession of the territory in the neighbourhood of the railway and the port, or by placing that territory under a completely autonomous régime, economically tied to Bulgaria by special stipulations, that the port of Dedeagatch can be constructed, controlled and developed in accordance with the economic interests of Bulgaria.

Bulgarian Delegation,
November 24, 1922.

No. 8.

FIRST (TERRITORIAL AND MILITARY) COMMISSION.

Minutes of the Fifth Meeting, November 25, 1922, *at* 11 A.M., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.
The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.
M. Barrère.
M. Bompard.

ITALY.
Marquis Garroni.
M. Lago.

UNITED STATES OF AMERICA.
Mr. Child.
Mr. Grew.

JAPAN.
Baron Hayashi.
Mr. Otchiai.

GREECE.
M. Veniselos.
M. Caclamanos.

ROUMANIA.
M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Nintchitch.
M. Rakitch.

TURKEY.
Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Major-Gen. Burnett-Stuart.
Captain Pound, R.N.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Bargeton.
M. Corbin.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
Colonel Vitale.
M. Guarnaschelli.

UNITED STATES OF AMERICA.

Mr. Amory.

JAPAN.

Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

GREECE.

General Mazarakis.
M. Dendramis.
M. Michalopoulos.

ROUMANIA.

Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Christitch.
M. Antitch.

TURKEY.

Munir Bey.
Moukhtar Bey.
Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

ROUMANIA.

M. Constantinesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

Frontiers of Thrace (continued).

LORD CURZON invited the Turkish delegation to open the discussion.

ISMET PASHA said that in spite of his great desire not to revert to questions already examined by the conference, he could not let pass without reply the observations of M. Veniselos in regard to the statement made by the Turkish delegation at the meeting of the 23rd November.

M. Veniselos had first of all endeavoured to throw the whole responsibility for the war on Turkey, and to absolve Greece entirely; he had then, in his speech of the 23rd November, sought to lay that responsibility on both countries. In support of his statements, M. Veniselos said that in 1921 M. Gounaris, in a private interview with Lord Curzon, agreed to evacuate Anatolia on condition that Greece kept Eastern Thrace; but the knowledge that Turkey did not intend to renounce Thrace had prevented the evacuation of Anatolia and consequently the restoration of peace. In reply to this argument Ismet Pasha said that as the legality of Turkey's claims on Eastern Thrace was not contested by anybody, the act of linking up the conclusion of peace with Turkey's consent to abandon her rights left the whole responsibility for continuing the war with the party which, contrary to justice, desired to keep that district under its domination. It was also a matter of public knowledge that Greece, by not replying to the note of the 26th March of the Allied Powers and by not spontaneously evacuating Asia Minor, had been the cause of that evacuation taking place under the pressure of the Turkish armies. Apart from that, Turkey had never had cognisance of the private conversation mentioned by M. Veniselos, and no proposal of that kind had been made to her. The fact cited by the Greek delegation could not therefore in any way lessen the responsibility of Greece in this war.

As M. Veniselos had once more stated that the fate of "inter-Allied" Thrace had been settled by the Treaty of Neuilly, he (Ismet Pasha) felt obliged to repeat that that treaty had left the fate of this country in suspense, and that the Great Powers, who at the time when the Treaty of Neuilly was concluded had doubtless taken into consideration the existence of a Turkish majority in the population, had postponed their decision on this subject until the conclusion of peace with Turkey. The Powers, it is true, wished later on to transfer "inter-Allied" Thrace to Greece by treaty; but as peace could not be effectively concluded with Turkey at the time when this treaty was signed, the same Powers, acting from a high sense of justice, had abstained from ratifying it.

This treaty having remained incomplete from the point of view of the Allies, who, on grounds of equity, had been unwilling to give it a definitive form, it could not, of course, be used as an argument against the Turkish case nor be invoked by Greece as proof that the question was already settled. He had, moreover, shown that Turkey had the right to participate in settling the fate of this country, where the Turks were in a majority according to M. Veniselos's own statistics. He was glad to take note of M. Veniselos's declaration regarding the existence of a Turkish majority in Western Thrace.

He must also add that the arrival of emigrants in a country could not and should not influence the determination of its fate, which must in all justice depend solely on the freely expressed will of its former inhabitants.

The last statements of M. Veniselos were, moreover, confirmed by the statistics in the memorandum which M. Veniselos himself presented to the Allied Powers on the 30th December, 1918. He (Ismet Pasha) would quote them once more:—

	Turks.	Greeks.	Bulgars.
Dedeagatch ...	10,670	7,371	11,358
Sufulu... ...	32,140	17,880	5,380
Gumuljina ...	50,000	9,160	10,550
Xanthi ...	22,000	10,275	1,695
	114,810	44,686	28,983

Thus M. Veniselos himself recognised not only that the Turks had a majority as compared with the Greeks, but also that their number far exceeded that of all the other ethnical elements combined.

M. Veniselos had spoken of the good treatment which the Turks had enjoyed under the Greek Administration. Ismet Pasha reserved this question for detailed treatment later on; for the moment he would content himself with saying that M. Veniselos's statements were not borne out by the presence in Constantinople, up till quite recently, of 200,000 Turkish refugees drawn from all the districts occupied by the Greeks, whose terrible misery had been verified by both Allied and neutral persons.

The statistics taken from the Year Book of the Vilayet of Adrianople for 1902, which M. Veniselos had quoted, only confirmed the existence of an overwhelming Turkish majority in the two Thraces. He ventured to recall the figures:—

I.—EASTERN Thrace.

Kaza of—	Moslems.	Greeks.
Adrianople	44,491	28,749
Jisri Mustafa Pasha ...	10,432	4,325
Kirja-Ali	37,388	102
Ortakeuy	16,692	11,062
Demotika	8,499	19,045
Jisri Ergene	16,959	18,063
Havza	8,278	6,411
Total	142,739	87,657

142,739 Moslems against 87,657 Greeks.

II.—Western Thrace.

Kaza of—	Moslems.	Greeks.
Gumuljina	53,740	8,994
Eghri-Dere	38,086	...
Dari-Dere	21,151	...
Sultan-Yeri	41,366	...
Eskijeh	25,368	3,126
Ali Chelebi	21,857	1,223
Dedeagatch	14,241	7,096
Sufulu	33,991	22,573*
Enos	3,561	4,484
Total	253,361	47,506

253,361 Moslems against 47,506 Greeks.

It was desirable to examine more particularly the two districts whose fate was now under discussion, namely, the territory to the west of the Maritza, which formed part of Turkey until 1915, and inter-Allied Thrace. The figures of the Year Book were, for the first district :—

	Moslems.	Greeks.
Jisri Mustafa Pasha	10,432	4,325
Ortakeuy and Semenli ...	16,692	11,062
Demotika	8,499	19,045
Total	35,623	34,432

35,623 Moslems against 34,432 Greeks.

For the second district there were :—

	Moslems.	Greeks.
Gumuljina	53,740	8,994
Xanthi	25,368	3,136
Dedeagatch	14,241	7,096
Sufulu	33,991	22,573†
Total	127,340	41,799

127,340 Moslems against 41,799 Greeks.

Thus M. Veniselos could not even claim in his favour the old statistics which he had quoted, and the majority of the population was Turkish in both districts.

Ismet Pasha had one important observation to make in regard to the statistics drawn up in Turkey, which applied both to the figures given in his own present statement and to the figures which he had laid before the commission at the last meeting.

It was an established custom in the East to define nationality according to religion, so all Orthodox persons spiritually dependent on the Œcumenical Patriarchate of Constantinople were considered as Greeks, which increased the number of the latter in all the statistics. One must therefore deduct from the number of Greeks given both by M. Veniselos and by himself persons belonging to other races, such as Orthodox Albanians, who only spoke Albanian and Turkish, and the Gagavuz, who were Turcomans settled in Thrace long before the arrival of the Ottoman Turks, converted to the Orthodox faith, and speaking Turkish only.

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* All non-Mussulmans included.

† Including all non-Mussulmans.

Taking these considerations into account, the number of 33,910 Greeks (which he had already mentioned to the commission when speaking of the population of inter-Allied Thrace) would be reduced by one-half; and the same deduction should be made for all the so-called Greek population of Thrace.

M. Veniselos had then spoken of the generosity of the Turks and of their solicitude for the Greek emigrants, going so far as to offer them their houses. While recognising the great value of this testimony to the Turkish character, Ismet Pasha must say (and nobody would deny) that the Turks in the regions subjected to Greek rule or occupation had been expelled from their homes, and Greeks had settled in their place. These acts of violence could not be interpreted as implying consent on the part of the Turks.

M. Veniselos had also said that the attribution of the districts in dispute was not a question of majority or minority, but a question already settled by treaties. While noting that M. Veniselos had once more recognised the existence of a Turkish majority in these two districts, and while maintaining his view as already expressed on the treaties relating to Thrace, he wished to remark that it was difficult to reconcile the democratic principles invoked by M. Veniselos with his opposition to a plebiscite, the purpose of which would be to allow the inhabitants of Western Thrace to express their will as regards the destiny of their country in accordance with the right of self-determination.

The comparison made by M. Veniselos between Fiume and Adrianople was in no way justified. In the first case the question was one of an outlet only; in the second case, it was proposed to deprive a town of its suburb and its railway station without any reason.

M. Veniselos had admitted that the Greek army during its withdrawal had burned and destroyed villages, but only those on its line of retreat. While taking note of this statement, Ismet Pasha said it was obvious that an army extending over a front several hundred kilometres long could not retire along one road only. The Greek army must therefore have retreated along several lines, and it had destroyed all the towns and villages within its course. He observed in this connection that the devastations committed by the Greeks were not confined to those effected during their retreat. A large part of the destruction was prior to the last offensive.

Ismet Pasha believed that the explanations which he had just given answered all the points made by M. Veniselos, and furnished fresh proof of Turkey's right to claim the frontier of 1913 for Eastern Thrace and a plebiscite for Western Thrace. He hoped that his explanations would assist the conference to take a just and equitable cision.

M. Veniselos felt it necessary to reply to some of Ismet Pasha's statements. According to the latter, M. Veniselos had stated that the Turks formed the great majority of the population in Western Thrace. What M. Veniselos had really said was that if one included in the denomination "Western Thrace" the districts which remained Bulgarian after the Treaty of Neuilly, the preponderance of the Turkish population would be considerable; but if one only included the part of Western Thrace assigned to Greece in consequence of the Treaty of Neuilly, then the Turkish population represented scarcely half the total population. M. Veniselos maintained this statement in connection with the plebiscite demanded by the Turkish delegation. It was true that democratic principles inclined him to recognise the right of self-determination; but it must be admitted that this right was not the only factor to be considered in deciding the attribution of districts inhabited by mixed populations. Between two Governments disputing the possession of such territory, the preference should go to the Government which had proved its superior administrative capacity.

M. Veniselos also insisted on the fact that in 1913, before the European war, Turkey had renounced all rights over Western Thrace; in 1915 she had gone still further and renounced the enclave on the right bank of the Maritza which she had previously retained.

In these conditions it seemed difficult to allow the Turkish Government to go back upon the decision already taken by it in regard to this enclave.

Ismet Pasha had spoken of 200,000 Turks from the territories possessed by Greece who had taken refuge at Constantinople. M. Veniselos replied that even if this statement were correct, these refugees had certainly come from districts where military operations were in progress, not from districts administered by Greece. Even at Smyrna, ten days after the establishment of the Greek administration in 1919, not a single Turk had emigrated. Moreover, there were among the Constantinople refugees, people who came from the regions occupied by the Turkish troops, probably because they believed that the Greek army would push the operations as far as those regions.

The question of excesses which the Greek army was said to have committed in Asia Minor in the course of its retreat would be dealt with in a later discussion, and M. Veniselos reserved the right to explain then his point of view regarding the situation of the Greek army at that time.

Ismet Pasha said that the statistics which he had supplied to the conference in regard to Western Thrace concerned not the districts which had passed under Bulgarian domination, but those which had remained in Greek occupation. The Turkish majority in both parts of Western Thrace was incontestable, as shown by M. Veniselos's own statistics. He took note of M. Veniselos's statement regarding the generous welcome given by the Mussulmans of Western Thrace to the Greek refugees, but he maintained his declaration regarding the bad treatment previously undergone by the Turks of these districts, who had been obliged to flee from Greek oppression. The Turkish refugees had unanimously described the administrative régime of Greece as a scourge.

M. Nintchitch did not wish to discuss the attitude of the Greek and Turkish authorities in the territories respectively administered by them. That was a matter which primarily concerned Greece and Turkey and had no immediate importance in solving the problems before the conference. The Serbian delegate was speaking in order to reply to the remarks made by Ismet Pasha in answer to his arguments, but he felt bound to thank Ismet Pasha for the extremely courteous tone in which he had spoken.

As regards Western Thrace, he thought it undesirable to decide solely according to statistics, because in many modern States there were pieces of territory, more or less large, where the minorities formed a majority of the population; the important point was to know with what object a plebiscite was asked for.

If it was asked for in order to establish the fact that there was in Western Thrace a Turkish population, whose rights must be guaranteed, as a minority, in relation to the population of the whole country, a plebiscite was superfluous because Greece had undertaken, by signing the convention regarding the protection of minorities, to respect their rights.

If a plebiscite were asked for in order to establish the fact that there was a Turkish majority in that part of Greek territory, with the object of claiming subsequently a special political organisation for that region, such as autonomy, a plebiscite would be dangerous because it would cause the introduction of a political system, which would endanger the peace of the Balkans. As he had previously stated, the introduction of strange and complicated political systems must be avoided everywhere, most of all in the Balkans. An autonomous Western Thrace would be the cause of perpetual troubles between Greece, Turkey and Bulgaria. It was essential that the fate of the province should not be left in suspense, but that all should know to whom it was to belong. The word "autonomy" ought not to be used in the Balkans.

As regards the region of Demotika, he wished to reply to the two arguments of the Turkish delegation. Firstly, Ismet Pasha had said that the Angora Government had never accepted the line of the Maritza as the frontier of Turkey; and secondly, that the district of Demotika had never been legally ceded by Turkey, because the Turkish Parliament had never ratified the Treaty of 1915. On the first point, M. Nintchitch thought that the Angora Government had definitely agreed to the line of the Maritza forming the Turkish frontier; the truth of this was shown by the note of the 4th October, in which the Turkish Government noted with satisfaction that the Powers recognised the right of Turkey to possess Thrace. This could only refer to Thrace as defined by the Powers in their note of the 23rd September, that was to say Thrace up to the Maritza. On the second point, the Turkish delegation argued that the Treaty of 1915 was invalid because the cession of territory then made to Bulgaria had not been voluntary nor duly recognised, the Turkish Parliament not having ratified it. M. Nintchitch thought it necessary to ask what pressure of events induced the then Turkish Government to make that cession;

The issue was nothing less than prevailing on Bulgaria to enter the war on the side of the Central Powers; and the Turkish Government certainly hoped to obtain through this intervention ulterior advantages, at least equivalent to those which they were conceding to Bulgaria. It was therefore fair to say that the Turkish Government of 1915 acted as it did, not in consequence of any pressure, but of a calculation of its own interests. As for the argument that the Convention of 1915 had not been ratified and therefore could not be valid, that was simply a Turkish internal affair. It was interesting, nevertheless, to note that the Turkish Parliament did not at the time manifest any disapproval towards the Government which had just signed the Convention, and that Government was not driven out. On the contrary, the Turkish Government had regarded this treaty as perfectly valid and had consented to the immediate occupation of the ceded territory by Bulgaria.

One might well wonder whether, in the event of the Central Powers having won the war, Turkey would have thought herself entitled to claim the restoration of this province by Bulgaria on the pretext that the Treaty of 1915 had not been ratified. M. Nintchitch only put this question in the most conciliatory spirit, and believed it to be his duty to draw the serious attention of the Turkish delegation to the desirability, in their own interest, of not insisting too much on this demand.

Lord Curzon said that perhaps the time had come when he would be expected to say a few words from the chair. All would agree that there had been a very useful discussion, conducted mostly by experts, in a spirit of moderation and conciliation. There had no doubt been occasional breezes, but most of the discussion had taken place in an atmosphere of complete tranquillity. He was now about to speak, as on previous occasions, for the whole of the Allies, who were unanimous upon the issues laid before the delegates.

Ismet Pasha, at the end of his speech, had pointed out that there was a difference between the Turkish claims for a plebiscite in Western Thrace and for territory to the west of the Maritza. Western Thrace Turkey did not claim for herself, although she made certain proposals, but the latter she did claim.

Western Thrace was an area which had ceased to be Turkish since 1913. It had then been ceded by Turkey to Bulgaria, as the result of one of the Balkan wars, by a treaty which was valid, had been ratified, had never been challenged, and had remained in force until after the great war. Then it was replaced by the Treaty of Neuilly of 1919, which transferred the territory from Bulgaria to the hands of the Allied Powers. He could not conceive what justification the Angora Parliament could have for claiming a voice in the disposition of this territory. The Allies were not prepared to concede such a right. The actual form of the claim was not to hand the territory back to Turkey; that would be too extravagant; the Turkish delegation proposed a plebiscite. What was the object of the plebiscite? It could only be political; to establish the Turkish majority (which was indisputable, but in view of recent circumstances might have altered) so as to make it appear that Turkey had a stronger claim, and to give her a chance of recovering the territory at some time in the future. That claim the Allies were not prepared to concede. The Turks appealed to the doctrine of self-determination and the principles associated with the name of President Wilson. Mr. Wilson was in many ways a great man, but he (Lord Curzon) was not sure that in inventing the phrase "self-determination" Mr. Wilson had not dealt a considerable blow to the peace of the world. If this appeal were made in favour of the Turks in one place, it might also be used against them in other places. They were willing to apply it where they knew they were in a majority, but would they be equally willing to do so where the reverse was the case? If the principle of a plebiscite held good for Western Thrace, why should it not hold good for Karagatch, Demotika and Gallipoli? He wondered how the principle of self-determination would work if it were applied to Constantinople. It certainly was a fact that up to a short time ago the Turks were not in a majority in Constantinople. If a vote were taken there on Wilsonian principles it might well be that the Turks would find they were recovering a capital from which they would shortly be expelled. Self-determination cut both ways, and it should be remembered that, as M. Nintchitch had well said, the conference had met to decide broad questions of policy, and to consider the effect which its decisions would have upon the recovery of peace.

He would now pass to the territory claimed by Turkey on the west of the Maritza. A few days ago he had referred to the various replies given by the Angora Government to the communications addressed to it by the Powers at Paris in September and at Mudania in October. He had pointed out that on none of these occasions had the Turkish Government claimed the frontier which they now desired to possess. The Turkish delegation now said that they were only thinking for the moment of evacuation. But when they claimed the evacuation of Eastern Thrace, why had they not claimed it up to what they considered their legitimate frontier? As a matter of fact, they forgot all about it, and even when they mentioned Adrianople in their note of the 29th September they made no reference to the intimate connection which they now claimed to exist between Adrianople and Karagatch. All they had asked for then was, "up to the west bank of the Maritza." They did not even mention the little railway station. As for Mudania, they never mentioned Karagatch there. They forgot all about their claim to the right bank of the Maritza; they only asked for the left bank. Therefore the Turkish delegation must pardon the Allies if the latter attached great importance to the fact that, on the several occasions during the past three months when Turkey had had the opportunity of making her present claim, she had altogether failed to make it.

The second argument of Ismet Pasha was to quote General Harington as having agreed during the Mudania negotiations to the occupation by Turkey, or the return to Turkey, of Karagatch. He (Lord Curzon) had felt sure there must be some misunderstanding and that General Harington had said nothing of the kind, because it was directly contrary to the instructions of His Majesty's Government. He had observed at various conferences that the *procès-verbaux* prepared by the different nations never quite agreed, but always showed a tendency to be slightly coloured to suit the parties respectively preparing them. He had, therefore, telegraphed to General Harington at Constantinople and had received a reply, which he would read:—

> "The exact words of my speech on the 9th October, when presenting the final draft, are: 'The Allied Governments are agreed as to the generous terms which they are prepared to offer you. We have embodied them in the convention which we have prepared. They offer you the terms of the Allied note of the 23rd September, by which you obtain the whole of Eastern Thrace, which will be prepared for you by the Allies. They go so far as to provide for an Allied buffer west of the Maritza. They give you the protection asked for regarding Karagatch and the Adrianople forts.' On the 4th October I said the question of the line of forts outside Adrianople, referred to by Ismet, was one of principle, and it was beyond the power of the Allied generals to do anything more than recommend that the Greeks be withdrawn behind the Maritza line. They proposed, however, to recommend that Allied detachments be sent to Karagatch."

It was perfectly clear from the above that General Harington, acting on the instructions of his Government, had in no way concurred in the Turkish claim, and that when he spoke about the forts of Karagatch, he was alluding only to a temporary Allied occupation pending the present conference.

Lastly, there was the Turkish argument about the territory west of the Maritza River. The Turkish delegation maintained that the cession of this block of territory to Bulgaria in 1915 ought not to be regarded as valid, because the treaty embodying it had not been ratified by the Turkish Parliament. That might be so, but, as M. Nintchitch had quite justly pointed out, there was no evidence before the conference that the cession had ever been repudiated by the Turkish Parliament. This cession of territory was not exacted by a victorious enemy, though pressure might have been put upon Turkey at the time by a somewhat imperious ally. The cession of 1915 was indeed so formal a matter that boundary pillars showing the line of delimitation had been set up, and were still standing, between Adrianople and Karagatch. The Allies, therefore, could not accept the argument of non-ratification.

At a previous meeting the Turkish delegation had advanced an entirely novel reason—that Demotika was the ancient capital of the Turks in Europe. He had been a student of history all his life, and he had always studied with special interest those passages which related to the incursions of the Turks into Europe, but he had never heard of Demotika as their European capital. He had now consulted his history books. In 1360 Sultan Murad had crossed the Hellespont and entered Europe. A year later he had made Adrianople his capital, and it remained so until the capture of Constantinople in 1453. On his way to Adrianople he may have, and probably did, pass through Demotika. He may even have stayed at Demotika and exercised the functions of Government there for a short time, but the claim that this place ought to be given to Turkey because Sultan

Murad stayed a few weeks or months there in 1360 passed his comprehension. The conference had been told that there were evidences of the past splendour of the alleged capital at Demotika, and reference was made to a mosque, a palace and a fortress. It was true that there was a mosque, but wherever there were devout Moslems a mosque was to be found. There was no trace of a palace nor of a fortress. Were they to settle the future of this territory on such very shadowy evidence of events alleged to have taken place nearly 600 years ago? Let them pass to the real facts of the case.

Take the question of Karagatch. The Turkish delegation had a few days ago asked for an extension of the frontier beyond the Maritza line, including Karagatch, mainly on grounds of military security. That ground was cut away by the decisions arrived at on the preceding day. If the demilitarised zones were to be set up—quite apart from the question of neutralisation—it was clear that there would be no forts in that quarter to threaten the security of Adrianople; in other words, the military danger had disappeared, and therefore the Turkish claim must be examined on different grounds.

The second ground for the retention of Karagatch by the Turks was that it was a part of Adrianople, a suburb of the town, inseparable from the main city and inhabited by the same class of population. This was not at all the case. He had a full scale map of the district. Karagatch was, it was true, on the opposite bank of the river, but it was separated from Adrianople by a road 4 kilom. in length running through the open country. Karagatch was a small town of 8,000 inhabitants, the enormous majority of whom were Greeks. He did not know whether the Turkish delegation would contest this. If he was rightly informed, the claim that Karagatch was a *faubourg* of Adrianople, uniform with it in population and ethnic physiognomy, could not be sustained.

The third argument of the Turkish delegation, however, had some weight. Adrianople was a great city at one time of some 80,000 inhabitants, and the Turkish citizens naturally did not like having to arrive or depart by rail at a Greek station on a Greek railway in Greek territory; they felt that they were entitled to have independent railway access on Turkish soil. He recognised that there was some force in that plea, and his colleagues agreed with him. He would be most reluctant to do anything which would in any degree wound the legitimate national self-respect of the Turks. The map before him showed that, when the Treaty of 1915 ceded this territory to Bulgaria, the Turkish Government had attached so little importance to the connection of Karagatch with Adrianople that they actually drew the line with the frontier pillars right across the road between the two places. This line placed in Turkish territory a section between the pillars and the right bank of the Maritza. In that section was the little railway station to which he had referred at an earlier meeting, and the beginning of the little railway line connecting the bridge over the Maritza with the main line and main station at Karagatch. The Powers were prepared to offer as a fair concession to Turkey this little enclave between the 1915 boundary line and the river. Without this enclave they could have their own branch line and their own station. If this should prove possible on technical grounds, and the Turkish delegation were prepared to accept it, it would solve the particular difficulty to which he had referred. The plan could be understood by reference to the large scale map. He had fully discussed the matter with his colleagues, and was prepared to make the offer. He did not ask for an immediate reply, but perhaps the Turkish delegation would recognise the spirit of conciliation in which the offer was made and refrain from pressing their opposition on the major question.

On the larger question he had twice explained, on behalf of his colleagues as well as himself, the views that they were obliged to take. It was certainly most impressive to find that these views were urged upon the Turkish delegation not only by the Great Powers, but by every representative of a Balkan State present. He believed it was the first time in history, and certainly the first time in his recollection, that so complicated a question had received the general support not only of the Great Powers, but also of the Balkan States. What did this mean? Much more than the mere fact of Allied unity; it meant a terrible risk for those who declined to recognise the value and importance of this unity. It meant that those who might challenge it, and in the long run fight against it, would be provoking a contest of a one-sided character in which they could not hope to succeed.

He was always glad when he heard the various speakers pronounce the word "peace," a word which with constant repetition might sound like a platitude, but which was far more than that, and really ought to figure in every speech. Delegates were perhaps apt to forget at times the object of peace, for which this conference was being held, but he could not believe that any party would voluntarily bring about a state of affairs that would threaten peace. He ventured to put these considerations before the conference, and before the Turkish delegation in particular. He asked the Turkish delegation to reflect upon the statements he had made and the conciliatory proposal he had put forward, and to let the conference have their considered reply later on.

Mr. Child said that the United States delegation wished to congratulate the conference on the real progress already made towards peace. His delegation thought the present moment appropriate for making a statement which they might have to repeat on other occasions. For the purpose of setting forth the point of view of the United States in as few words as possible, he had reduced his statement to writing:—

> "It is not, and will not be, the concern of the representatives of the United States to express at this conference views which have not for their bases the legitimate national interests of the United States or those humanitarian considerations which I assume are shared by every delegation present. We will, however, and I trust acceptably, state, when the occasion arises, the position of the United States. We believe that a convenient and appropriate occasion has now arisen.
>
> "It is not unknown to those who have observed the history of conferences and negotiations that few subjects may be considered

by themselves. I am not referring to the specific subject under discussion, but all the various points of negotiation must in the end be considered as a unit, and it is often true that not one detail of a negotiation can be considered as isolated from the others. The representatives of the United States are unable, therefore, to hear concluded a discussion of any territorial settlement which, in its turn, may affect other settlements, without drawing the attention of the conference to certain traditional principles of the foreign policy of America. Reference to this policy was made in an *aide-mémoire* delivered to the Ministers for Foreign Affairs of the three inviting Powers on the 30th October, less than one month ago, in the following words :—

" ' As the object in view in submitting this suggestion (*i.e.*, to send observers) is the elimination of any possible cause of misunderstanding, it is considered appropriate to call attention to the attitude of the United States in respect to secret treaties and agreements. It is not felt that agreements previously made with respect to Turkish territory which provide for the establishment of zones of special commercial and economic influence, such, for example, as the tripartite agreement of 1920, are consonant with the principle of the equality of economic opportunity. It is assumed that the Allied Powers will not now desire, and do not now intend, to carry into effect previous arrangements of this nature.

" ' The United States has no desire to take any action which might embarrass the Allied Powers in the proper effort to secure peace. It desires nothing which need conflict with the interests of other countries, if the principle of commercial opportunity for all nations is recognised from the outset. The United States has no intention of seeking for itself or its nationals a position of special privilege, but it desires to protect its rights and to assure the open door.'

" This conference may be glad to know that the overwhelming sentiment of the people of the United States is in favour of this policy, not only as a national policy, but as one which, were it to be adopted by every nation on the earth, would be in contrast, perhaps, to the search for territorial or other special privilege on foreign soils, a powerful element in the establishment of any stable peace, a foundation for a greater equity in the relation of nation with nation, and the basis for a more progressive economic development of territories."

Ismet Pasha said that he felt obliged to make a statement which no one could contest, namely, that the Turks were in a majority at Constantinople, and had no more fear of a plebiscite in their capital than in any other part of their present possessions. He was also firmly convinced that the cause of world peace would be much better served if peoples could determine their own fate everywhere. He reserved the right to reply to certain of Lord Curzon's arguments relating to the part of Eastern Thrace claimed by Turkey after closer examination of the British arguments.

He thanked the representative of the United States of America for his frank and liberal statement, and expressed the hope that American public opinion would always be on the side of right and justice.

LORD CURZON announced that the discussion on Eastern Thrace was adjourned, and that at the next meeting at 3·30 P.M. the same day the question of the islands in the Ægean Sea would be examined.

(*The commission rose at* 1 P.M.)

No. 9.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Sixth Meeting, November 25, 1922, *at* 3 P.M., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Major-Gen. Burnett-Stuart.
Captain Pound, R.N.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Bargeton.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
Colonel Vitale.
M. Guarnaschelli.

UNITED STATES OF AMERICA.

Mr. Amory.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

GREECE.

General Mazarakis.
M. Dendramis.
M. Michalopoulos.

ROUMANIA.

Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Christitch.
M. Antitch.

TURKEY.

Munir Bey.
Colonel Tefvik Bey.
Shevket Bey.
Nusret Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Ronald.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

ROUMANIA.

M. Constantinesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

LORD CURZON invited Ismet Pasha to state his views on the question of the Ægean Islands.

ISMET PASHA said that the Ægean and Mediterranean Islands, which depended geographically on Asia Minor, were of great importance for the peace and security of Anatolia; they included small islands close to the coast, situated in territorial waters, and larger islands. The small islands in territorial waters could seriously threaten the peace of Asia Minor and formed an integral part of that country; they must remain under Turkish sovereignty on this account, and also because they were situated in Turkish territorial waters.

As regards the larger islands, by the treaty of the 17th/30th May, 1913, the disposal of Tenedos and Imbros was left to the decision of the Great Powers. Turkey's rights over these two islands were confirmed by the joint note from the Great Powers of the 14th February, 1914. They were thus placed under Turkish sovereignty.

It was also necessary and equitable that the island of Samothrace, situated in the neighbourhood of the Turkish coast and of the Straits, should likewise be left to Turkey.

The islands of Lemnos, Mitylene, Chios, Samos and Nikaria were left to the Greeks by the Great Powers. These islands were of vital importance from the point of view of the security of Turkey, and it was an economic necessity for them to be united to Asia Minor; for these reasons the Powers' decision had not been accepted by Turkey. The disposal of these islands had been confided to the Great Powers on condition that the decision should be in conformity with the interests of the parties concerned; the solution which the Powers proposed did not fulfil this condition, and therefore did not satisfy Turkey.

The imperialist designs of Greece on Anatolia, which had recently been revealed to the whole world, had shown Turkey how dangerous it was for the security of Asia Minor that these islands should be owned by a country like Greece, which had artificially created on her own soil aspirations towards the establishment of a Greek empire in Asia Minor.

Thus it was necessary in the interests of general peace that an undertaking be given for the complete demilitarisation of these islands; all existing fortifications and batteries must be entirely destroyed and dismantled; no new fortifications should be constructed in future; none of these islands should be utilised as a military base; no aeroplanes must be brought there, no sheds for aircraft be constructed; except for a police force sufficient to keep order, no armed forces must be maintained; and these islands must not serve as a centre for agitators or as a refuge for smugglers. Turkey must also receive guarantees for the strict observance of the undertakings given in these respects.

It was therefore necessary that these islands should enjoy a neutral and independent political existence.

M. VENISELOS thought that a distinction should be drawn between those Ægean Islands which had for a long time been under Greek sovereignty, and those which had not yet formed the subject of any international Act. If he had rightly understood Ismet Pasha's statement, Turkey claimed to retain sovereignty over the latter category of islands. Now the population of the greater part of these islands was exclusively Greek, without any foreign element. Some, such as Cos, Tenedos and Rhodes, contained a small Turkish minority.

In this connection he quoted the following figures:—

	Greeks.	Moslems.	Jews and Foreigners.
Imbros	9,207	...	...
Tenedos	5,420	1,200	...
Cos	14,550	2,020	...
Rhodes	37,777	4,854	2,445

The other islands were purely Greek, and it was therefore not in Turkey's interest to own them.

The security of Turkish territory could not be compromised by these islands. In this connection he wished to recall recent military events. When disembarking at Smyrna, the Greek troops were transported direct to Anatolia and the islands were not used as a stopping-place. It was therefore clear that the possession of the islands by a Power other than Turkey did not constitute a menace for the latter. Besides, it was difficult to see what interest Turkey could have in placing under her dominion a large Greek population, especially after the events of the last few months.

He would agree to examining the question whether it was necessary to demilitarise these islands, and, if so, to what extent; for this purpose it would be best to consult the military experts. But in no case could there be any question of re-establishing Turkish sovereignty over territory which had long since ceased to belong to Turkey, including Tenedos and Imbros.

As regards these two islands, he was ready to go even further and agree to a considerable limitation of Greek sovereignty on account of their nearness to the Dardanelles. He thought that it would be well to discuss the demilitarisation of these islands and that of the Dardanelles simultaneously.

He wished to state once more that he had no objection to the demilitarisation of these islands, but it must be remembered that no decision had been taken regarding the adoption of such a measure; it had only been decided that the commission should examine the question whether demilitarisation of the islands was expedient, and, if so, to what degree.

LORD CURZON said that he had discussed the matter with his Allied colleagues and was speaking on their behalf as well as on his own. He wished first of all to place the matter on a proper juridical basis. For this he had to begin by referring to the 1913 Conference of London, which resulted in a treaty being signed by Turkey, Greece, Serbia, Bulgaria and Montenegro, dated the 30th May, 1913. Article 5 of this treaty dealt with the islands. Ismet Pasha had suggested that the handing over of the islands for disposal and distribution by the Great Powers implied certain conditions; there were none. This would be seen by a reference to the concluding words of article 5, which simply confided to the Great Powers ". . . . the duty of deciding the fate of all the Ottoman islands in the Ægean Sea (except Crete) and of the Mount Athos peninsula."

The meeting in London was followed by a Conference of Ambassadors of the Great Powers, who were instructed to decide to whom the islands were to be handed over. The Conference of Ambassadors did not deal with the Dodecanese, because the fate of those islands had already been decided provisionally by the Treaty of Lausanne between Turkey and Italy. All the remaining islands were given to Greece except Imbros, Tenedos and Castellorizo, whose proximity to the mouth of the Dardanelles or to the Asiatic coast appeared to justify their retention by Turkey.

On the 14th February, 1914, the conference addressed a note to the Turkish Government in which they communicated to them the decision that all the islands then in the occupation of Greece should be ceded to that country with the exception of the three islands above mentioned, which could be retained by Turkey. The islands of Imbros and Tenedos were to be demilitarised. In their reply of the 15th February the Turkish Government did not commit themselves to anything definite. They regretted the general attitude of the Great Powers, but took note of their decision about Imbros and Tenedos, the realisation of which they promised to do their best to assure.

Ismet Pasha had put forward two suggestions:—

1. That Imbros and Tenedos, on account of their nearness to the mouth of the Dardanelles, should be returned to Turkey as proposed by the Powers in 1913. He also asked for the inclusion of Samothrace—which was now mentioned for the first time—in the same group of islands, as being so to speak sentinels to the Straits.
2. That all the other islands, especially Lemnos, Mitylene, Chios and Nikaria, which had been given to Greece in 1913, should now be taken away from her and placed under a special régime.

M. VENISELOS was under the impression that they were merely to be demilitarised.

RIZA NOUR BEY replied in the negative; they were to have a neutral and independent political existence.

LORD CURZON said that this meant that the islands were not to be assigned to Turkey, but should be taken from Greece and given some form of political autonomy. This would result in great difficulties, both from the point of view of law and right and also as regards practicability. The islands in question were a lawful Greek possession by treaty and their populations were entirely Greek in character. If the Turkish delegation were arguing "à la Wilson," the result of a plebiscite would assuredly be in favour of Greece's retention of the islands; but they did not desire a plebiscite, only a sort of constitutional experiment in autonomy. Previous experience offered warnings against such an experiment. For instance, for a long time Samos had enjoyed a curious form of autonomy; there the results had not been encouraging, but rather a warning. Then again, an experiment had been made with the island which had the honour of presenting M. Veniselos to the world, namely, Crete. The result had been disastrous. When he, Lord Curzon, was Under-Secretary of State to the great Marquess of Salisbury, one of the most thorny questions was that of Crete. M. Veniselos had not then emerged above the horizon, or he would doubtless have applied his own special form of remedy. What had happened? Internal conflicts, risings, widespread loss of life, and general anarchy, until finally Crete decided on union with Greece. These two illustrations were warnings against the acceptance of the Turkish proposals.

As regards Ismet Pasha's second point, namely, demilitarisation in a very stringent form, much more could be said. But a distinction must be made between the three islands of Imbros, Tenedos and Samothrace on the one hand, and the rest of the islands on the other. The fate of the first three and the degree of demilitarisation to be effected there could best be considered in conjunction with the question of the freedom of the Straits. He could not prejudge the final decision in that question, which must be examined later. Concerning the rest of the islands and the advisability of carrying out stringent demilitarisation there, M. Veniselos had pointed out that during the war these islands had not been a source of danger to the Turkish military position in Anatolia, as the Greeks had made no use of them as bases; they could not, therefore, be reasonably regarded now as a menace.

To sum up, his conclusions were:—

1. That the fate of the three islands of Imbros, Tenedos and Samothrace should be examined in conjunction with the question of the freedom of the Straits.
2. That the suggestion of a constitutional experiment in autonomy for the other islands should be rejected on account of the warnings offered by the past.
3. That while the question of detaching the islands from Greek sovereignty could not be contemplated, he was quite willing that their demilitarisation should be examined by the military experts.

In stating these conclusions he was speaking for his Allied colleagues, who were in complete agreement with him.

Ismet Pasha agreed to the question of demilitarisation being referred to a sub-commission, but he hoped that the president would first define his views on the sovereignty of Imbros, Tenedos and Samothrace.

Lord Curzon said that this matter required very careful study embracing, for instance, the figures given by M. Veniselos, and he could not say what would be the decision regarding the sovereignty of the three islands. He was inclined to think that when the proposed sub-commission to examine demilitarisation was set up it should be asked to investigate the question of sovereignty also. At present no pronouncement was possible.

M. Veniselos said that the sovereignty of Samothrace had been settled since 1913; only the degree of demilitarisation to be effected there was still under discussion.

Ismet Pasha said that he would have occasion to state his views more fully when the question came to be examined afresh.

Lord Curzon asked whether Ismet Pasha understood that the question of demilitarising all the islands (and not merely the three specifically named) should be reserved, and that the sovereignty of Imbros and Tenedos should likewise be discussed later. He had stated the views of the Allies as regards the political position of *all* the remainder of the islands.

ISMET PASHA reserved the right to reply to both Lord Curzon's and M. Veniselos's arguments.

M. BARRÈRE said that except for the question of autonomy which had been rejected, and the question of sovereignty over Imbros and Tenedos which was in suspense, the conference had now all the elements necessary for a reference of the whole matter to a sub-commission of experts.

M. LAGO enquired which islands were to be referred to the experts.

LORD CURZON replied only those enumerated by M. Veniselos.

It was decided :—

1. To refer to a sub-commission of experts, which should meet when the time came for examining the Straits problem, the question of sovereignty over the islands of Tenedos and Imbros, and that of the demilitarisation of those two islands and of the island of Samothrace.
2. To refer to the same sub-commission the question whether the islands of Chios, Mitylene, Lemnos, Samos and Nikaria should be demilitarised, and if so to what degree.

The Turkish delegation made reservations as regards the discussion of sovereignty over Imbros and Tenedos.

LORD CURZON stated that he wished to make a few remarks as to the order of business. He understood that the Turkish delegates were ready to discuss the frontiers of Syria and Irak on the 27th November at 11 A.M. The time for the discussion on the freedom of the Straits must depend upon the arrival of the Russian delegation. The First Commission also had to deal with military questions, but these had better not be discussed until the questions of the Straits, Eastern Thrace and Constantinople had been decided. As regards the Second and Third Commissions, presided over by Marquis Garroni and M. Barrère respectively, the work of the former could not begin until the delegates from the capitulatory States had arrived. But there was no reason why M. Barrère's Commission should not begin its work on the afternoon of the 27th November or the morning of the 28th November. Thenceforward the territorial and economic commissions could work concurrently but not simultaneously.

ISMET PASHA wished to sum up the views expressed by him as follows :—

1. He did not regard the Thracian question as settled, and intended to revert to it.
2. He could not agree to Turkish sovereignty over Imbros and Tenedos being being brought up for discussion.
3. That as he had previously said, he could not negotiate with any "capitulatory Power" which might be invited to the conference.

M. Barrère explained, with a view to removing any misunderstanding, that there was no question of negotiating with third parties, but simply of giving their representatives a hearing on certain questions in which their interests were concerned.

Lord Curzon said that as regards Ismet Pasha's first point, the Turkish delegation would be given an opportunity later on to express their views on the frontiers of Thrace; he had that morning asked Ismet Pasha to reflect very carefully on the statements and proposals already made on the subject. As regards the second point, the sovereignty over Imbros and Tenedos would not be discussed until the sub-commission presented its report. The third point had been answered by M. Barrère.

Ismet Pasha expressly maintained his reservations on this subject.

(*The commission rose at* 5·20 p.m.)

No. 10.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Seventh Meeting, November 29, 1922, at 4 p.m., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir Horace Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

BRITISH EMPIRE.

Sir William Tyrrell.
Admiral Sir R. Keyes.
Major-Gen. Burnett-Stuart.
Captain Pound, R.N.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

Admiral Lacaze.
General Weygand.
M. de Lacroix.
M. Bargeton.
M. de Percin.
M. Barois.
Commandant de Lamoricière.

ITALY.

M. Arlotta.
M. Guariglia.
Colonel Vitale.

UNITED STATES OF AMERICA.

Mr. Amory.
Mr. Dwight.

JAPAN.

Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

GREECE.

General Mazarakis.
M. Michalopoulos.
M. Dendramis.

ROUMANIA.

Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Christitch.
M. Antitch.

TURKEY.

Munir Bey.
Moukhtar Bey.
Colonel Tevfik Bey.
Captain Shevket Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Ronald.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

ROUMANIA.

M. Constantinesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

At the invitation of Lord Curzon,

GENERAL WEYGAND read the report of the Sub-Commission of experts convoked for the purpose of examining the question of the demilitarisation of the islands of Lemnos, Mitylene, Chios, Samos and Nikaria, in compliance with the second paragraph of the resolution passed by the Territorial and Military Commission on the 26th November (see Annex, p. 109).

General Weygand wished to make some remarks on the reservation of the Turkish delegation, which consisted of two parts: firstly, a statement of the views of the Turkish delegation, on which he had no observation to make; secondly, an assertion which, in his opinion was due to a misunderstanding. The Turkish delegation stated that at the second meeting of the sub-commission the decisions reached at the preceding meeting had not been taken into account. General Weygand recalled the fact that at the end of its morning meeting the sub-commission had reached agreement on the necessity for demilitarising Mitylene, Chios, Samos and Nikaria, and also on the need for discussing the demilitarisation of Lemnos together with the Straits problem, but not as regards the kind of demilitarisation to be applied to the four first-named islands. No decision had been arrived at on the latter point. The Turkish delegation were therefore under a misapprehension in thinking that the sub-commission had pronounced on this question at its first meeting.

At its second meeting the sub-commission had examined the question of demilitarising the islands near the Straits. General Weygand had pointed out that by its terms of reference the sub-commission was directed to examine the measures of demilitarisation to be taken in these four islands. The Turkish delegation had remarked that that question was so closely bound up with that of the Straits that it was impossible to examine it unless all the Powers interested in the Straits problem were present, particularly the Powers bordering on the Black Sea. He had answered that the sub-commission could make a provisional examination of the subject without prejudice, of course, to the decisions which might be taken later on as regards the Straits. The Turkish delegation had, nevertheless, maintained their view, and had announced that they did not intend to take part in the discussion. In order that the meeting of the sub-commission should not be entirely fruitless, he had thought it well to invite a summary discussion of the question; the Turkish delegation had not refused to remain present during that discussion.

ISMET PASHA shared the view expressed by the Turkish delegate at the sub-commission. In the report the Turkish delegate had made reservations in regard to the demilitarisation of Mitylene, Chios, Samos and Nikaria, and had demonstrated that the measures and restrictions proposed were inadequate; he thought, and Ismet Pasha agreed with him, that aviation should be forbidden in these islands and that no military detachments should be stationed there. The insufficiency of the restrictions recommended in the sub-commission's report made the demilitarisation almost illusory. Aviation was the most modern of all weapons of war; the report recognised that these islands could serve as bases of operations, and that the very object of the proposed measures was to make it impossible for Greece to prepare offensive operations against Turkey in these islands; it was therefore essential to demilitarise them effectively from the strategic and military point of view, *i.e.*, to prohibit aeronautics there as well as the presence of armed contingents.

Ismet Pasha also shared the views of the Turkish delegate on the sub-commission concerning the status and demilitarisation of the other islands. As regards Tenedos, Imbros and Samothrace, he recommended that the question be examined in connection with that of the Straits. He confirmed the reservations made by the Turkish delegation at the sub-commission.

M. CACLAMANOS wished to make a brief statement on behalf of the Greek delegation in regard to the report of the sub-commission. After careful study of the matter, the sub-commission had admitted the principle of complete demilitarisation of the four islands near the Straits. These islands would thus become absolutely inoffensive, and in settling the fate of Imbros and Tenedos—the only islands in this group assigned to Greece solely by virtue of the Treaty of Sèvres—the factors to be taken into account would not include the possibility of using them for military purposes. The question of sovereignty over Lemnos and Samothrace did not arise, since those islands had been Greek since 1913. Imbros and Tenedos were purely Greek in character and their population was almost exclusively Greek. The Greek character of Imbros had become even more pronounced owing to the arrival there of over 10,000 refugees from Gallipoli. If Greek sovereignty over Imbros were not confirmed the refugee problem in Greece would become still more acute, for these refugees would be obliged to leave Imbros. Besides, Imbros and Tenedos had been continuously occupied by Greece for ten years, and it was no fault of hers that the Greek occupation had been maintained there since 1913; this was done because Turkey did not accept the decision of the Powers in that year to assign to Greece all the islands except Tenedos and Imbros, which they assigned to Turkey.

ISMET PASHA observed that the question of sovereignty over Imbros and Tenedos had been raised by the Greek delegation in such a way as to ignore the existence of treaties and of notes previously exchanged. He had already examined this question and explained the juridical basis on which Turkey's claim to the sovereignty of these islands was based. He claimed Samothrace also, because that island was in a similar position as regards the Straits; and the status of the Straits could not be examined apart from that of the islands opposite them.

In mentioning Lemnos, his purpose had only been to get that island put under the same régime as the other neighbouring islands. Turkey had never officially recognised Greek sovereignty over Mitylene, Chios, Samos and Nikaria; on the contrary, she had protested to the Powers when they wished to give her Imbros and Tenedos only. He repeated that as regards demilitarisation, Samothrace and Lemnos must have the same régime as the Straits.

M. Caclamanos recalled the fact that when the question of sovereignty was raised at a previous meeting of the commission, Lord Curzon had clearly proved that Samothrace and Lemnos were not concerned. These islands belonged to the group which was put under Greek sovereignty by the decision of 1913, and the question could not be reopened. The sub-commission had only had to deal with these islands because, like Imbros and Tenedos, they lay near the Straits and had been included, together with the two last-named islands, in a group for which a special régime of demilitarisation would apparently have to be devised; but the inclusion of Samothrace and Lemnos in that group had nothing to do with the question of sovereignty, which was not under discussion. The only point at issue was the definite assignment of sovereignty over Imbros and Tenedos; Greece claimed the recognition of her sovereignty over those islands for the reasons already stated by the Greek delegation.

Ismet Pasha was therefore in error when he said that the question of sovereignty over Samothrace and Lemnos must be examined. That question was already solved, as in the cases of Mitylene, Chios, Samos and Nikaria; and the commission only had to examine the means for ensuring the more complete demilitarisation of the islands in question.

Ismet Pasha replied that as the commission had agreed to Lemnos and Samothrace forming part of the Straits system, the sovereignty of those islands must be examined simultaneously with the Straits régime.

M. Caclamanos said that Ismet Pasha's proposal was entirely new, and contrary to the view clearly stated by Lord Curzon as regards the juridical position of these islands; he therefore thought that the commission could not accept it.

Lord Curzon said he would deal with the question of sovereignty just raised by Ismet Pasha at the close of the remarks which he was about to make, embodying his own views and those of his Allied colleagues. He wished to divide his statement into three parts, and would begin by dealing with the four islands of the central group, namely, Mitylene, Chios, Samos and Nikaria. The degree of demilitarisation to be applied in these islands had been referred to the sub-commission. He wished to thank the sub-commission for the work which they had accomplished and for their report, which stated very clearly and concisely the reasons on which they based their opinion.

As regards the central as opposed to the northern group of islands, M. Veniselos had said a few days ago that he was prepared to discuss the degree of demilitarisation to be applied there, which might perhaps be different from that for the islands near the mouth of the Straits. For the central group the sub-commission had recommended a modified form of demilitarisation which was designed to protect the Turks in Anatolia against an attack based on these islands, while leaving to the Greek Government the necessary power to defend the islands and preserve order there. The Turkish delegation made a reservation on two points. Firstly, they wished to prohibit all aviation and anti-aircraft defences; and secondly, they urged a more complete scale of demilitarisation than that proposed by the sub-commission, approximating to that suggested for the northern islands. He was happy to hear that Ismet Pasha accepted the greater part of the report, and he asked the commission to take note of this and accept the sub-commission's conclusions.

He wished at this point to congratulate General Weygand on having so successfully cleared up a misunderstanding which was obviously quite accidental. It was now clear that the Turkish delegation had misunderstood General Weygand's statements at the first meeting of the sub-commission, and had misinterpreted the alleged change of attitude at the second meeting. Lord Curzon hoped that the incident was now closed.

He now came to the second question, that of the group of islands near the mouth of the Straits. He had expected that the sub-commission would have received a vote of thanks from the Turks, because in London in 1913 the Powers had suggested that only the two islands of Imbros and Tenedos should be demilitarised and given to Turkey. A few days since the Turks had asked for a third island, Samothrace; but for the first time the Turkish delegation, who had hitherto not missed a single point in the discussion, had forgotten a point of primary importance: they had forgotten Lemnos. This was also one of the islands necessary for the defence of the Straits. This extraordinary lapse of memory on the part of the Turks had been made up for by the intelligence and commonsense of the sub-commission. The Turks were now offered the demilitarisation not of two islands as in 1913, nor of three as a few days ago, but of four.

General Weygand had explained why the Turkish delegates had felt unable to take much part in the meeting of the sub-commission held that morning; but he (Lord Curzon) could hardly believe that the Turks would decline to accept the report, which recommended the complete demilitarisation of all four islands. Perhaps the Turkish delegation would, on reflection, realise the great advantage they had thus somewhat unexpectedly obtained and agree to accept the report.

The Turkish delegates had raised a most important point by suggesting that the fate of these four islands should be reserved for discussion by the commission dealing with the freedom of the Straits. There was a great deal to be said for this contention. The demilitarisation of these islands was clearly part of the Straits problem; and he and his colleagues agreed that the question of the islands should be taken up again, as regards their demilitarisation only, in the presence of the Russian, Georgian and Ukrainian delegates.

The third and last question at issue was that of the sovereignty over the northern islands. M. Caclamanos was quite right in contending that the sovereignty of Samothrace had already been excluded from the discussion; the commission should accordingly confine itself to Imbros and Tenedos. The Turkish delegates had asked that the sovereignty as well as the demilitarisation of Lemnos should be referred to the commission dealing with the Straits problem. But with all due respect to his Excellency Ismet Pasha, this contention could not be sustained. Sovereignty was a political question, whereas the questions to be discussed by the Commission on the Freedom of the Straits were uniformly naval and military. That commission would have to suggest the nature of the demilitarisation, the extent of the demilitarised zones, the measures to be taken on both sides of the channel and the degree of surveillance to be exercised. Sovereignty was an entirely different issue and must be discussed by the First Commission alone, not by the Straits Commission. It was most important that the First Commission should be in possession of the full views of the Turks, and of the juridical arguments by which they supported their claim. They had quite fairly based their contentions in the case of Imbros and Tenedos on the offer of 1913; but the character of the population should not be disregarded altogether. According to the last census of 1912, there were 9,200 Greeks and no Turks in Imbros. M. Caclamanos had just said that 10,000 more Greeks from Gallipoli had taken refuge there; thus there were now 19,000 Greeks and still no Turks. The island of Tenedos was less important, but in 1912 there were 5,420 Greeks and 1,200 Mussulmans. Some answer to these figures was manifestly necessary, and he hoped to have one—not necessarily at once—from the Turkish delegation.

ISMET PASHA summed up the point of view of the Turkish delegation as follows. Imbros and Tenedos incontestably belonged to Turkey already by a decision of the Powers. Secondly, the Turkish delegation asked that Samothrace should be attached to the group of islands to be included in the Straits system. Thirdly, they demanded a system of effective demilitarisation and the establishment of a neutral and independent régime in the islands close to the coast of Asia Minor.

They had refrained from proposing the inclusion of Lemnos in the first group of islands because they thought that the other islands also would be thoroughly demilitarised. Their omission to name Lemnos was therefore not due to forgetfulness.

To revert to Imbros and Tenedos, their position as regards the attribution of sovereignty was not in any way in suspense. These islands, together with Castellorizo, had been maintained under Turkish sovereignty by a note of the Powers dated the 14th February, 1914.

On the authority of the Turkish reply, dated the 15th February, 1914, Ismet Pasha maintained that the then Imperial Ottoman Government, while taking note of the Powers' decision respecting the restoration of Tenedos, Imbros and Castellorizo to Turkey, had formulated objections to the cession to Greece of the other islands, as regards which they intended to establish their just and legitimate claims.

In reply to Lord Curzon's argument about the ethnical character of these islands, and also of Samothrace, Ismet Pasha said that their ethnical character could not have any importance nor exercise any influence when the issue was to settle the fate of the Straits and the system of islands dependent thereon, for these islands formed, together with the territorial system of the Dardanelles, a single whole. In a matter so essential, the presence of several thousand men, of no matter what race, could not outweigh geographical and political considerations of the highest importance. He recalled the fact that during the discussion on Western Thrace, where the existence of a Turkish majority was incontestable, the superiority of geographical and political necessities over ethnical considerations had been asserted. Now, in dealing with the islands, the process was being reversed.

Lord Curzon had no wish to indulge in a debate with Ismet Pasha, but he wished to reply very briefly to the assertions just made by his Excellency.

Firstly, Imbros and Tenedos were not given to Turkey by the Treaty of London, which merely placed all the Ægean Islands in the hands of certain Great Powers. The attribution of the islands was first mentioned in the correspondence which ensued. The Turkish reply to the Powers of the 15th February, 1914, had been inexactly quoted by Ismet Pasha; that note had picked out all the plums in the pudding and had rejected the rest as something uneatable. In the last sentence, the Ottoman Government merely said that they had taken note of the Powers' proposal respecting Imbros, Tenedos and Castellorizo; this could not mean that the Turkish Government had been vested with the sovereignty of these islands. Historical documents could not be treated in such a way. If any argument were to be based on the Turkish note, it must be based on the note as a whole

Secondly, the Turkish delegation, who had used the population argument as regards Western Thrace, now said that it should be ignored as regards the islands. They also ignored geography. Was it to be pretended that the islands were not islands at all, and that their Greek population was really living on the mainland? Such juggling with geography was wholly inadmissible.

Thirdly, as regards the autonomy which Ismet Pasha had proposed for the Greek islands on the 25th November, what was good for the Greeks must be good for the Turks. Did the latter also propose autonomy for the islands claimed by them, as well as for the mainland of Anatolia, of which, according to the Turks, the islands formed a part? This point needed elucidation as soon as possible. It was important to know whether these islands were to be considered as islands or not; were they to become Turkish because they were not islands, or were they to be considered as islands and accordingly given autonomy?

Ismet Pasha again formulated his reservations in regard to Turkish sovereignty over the islands near the Straits, and said that he wished to have an opportunity of returning to the subject in greater detail. He proposed that his two objections respecting aviation and military contingents should be included in the draft resolution relating to the measures of demilitarisation to be enforced in Mitylene, Chios, Samos and Nikaria.

Lord Curzon read the following resolution, which was carried:—

> "The commission adopts the recommendations contained in the report of the Sub-Commission of Experts regarding the measures of demilitarisation to be applied to the islands of Mitylene, Chios, Samos and Nikaria.

"The Turkish delegation make a reservation on two points, that of aviation and that of military contingents."

(*The commission rose at* 6·20 P.M.)

ANNEX TO No. 10.

Report of the Sub-Commission of experts assembled to examine the question of the demilitarisation of the islands of Lemnos, Mitylene, Chios, Samos and Nikaria.

(Resolution of the First Commission, dated November 26, paragraph 2.)

United States of America: Mr. F. Lammot Belin.
British Empire: Major-General J. T. Burnett-Stuart, the Hon. Harold Nicolson, assisted by Captain A. D. Pound, R.N., Lieutenant-Colonel T. G. G. Heywood.
France: Vice-Admiral Lacaze, General Weygand (*president*), assisted by M. Bargeton, Lieutenant-Colonel Courtin, Captain de la Moricière.
Greece: His Excellency M. Veniselos, General Alexander Mazarakis, Dr. Michael Theotokas, assisted by M. Vassili Dendramis.
Italy: M. Mario Arlotta, Colonel Umberto Vitale, assisted by M. Mario Indelli.
Japan: Captain N. Tsuru.
Roumania: His Excellency M. Diamandy, Colonel Thomas Dumitresco.
Serbia: M. Milan Antitch, M. Vladimir Milanovitch.
Turkey: Lieutenant-Colonel Tevfik Bey, Captain Shefket Bey, assisted by Nousret Bey, Djevad Bey.

The sub-commission, at its meeting on the 28th November—

1. Unanimously recommended that it is desirable to take certain measures of demilitarisation in the five islands in question.

2. As regards these measures—

(1.) The sub-commission unanimously considers that, for Lemnos, these measures should be defined simultaneously with those to be determined on for the islands of Imbros, Tenedos and Samothrace, at the time when the problem of the Straits shall be examined.

(2.) For the islands of Mitylene, Chios, Samos and Nikaria, the majority consider that the measures of demilitarisation should consist in the following restrictions:—

(*a.*) No naval base and no fortifications.

(*b.*) Military aircraft on either side to be forbidden to fly respectively over the islands and over Turkish territory.

> (*c.*) Limitation of military forces in the islands to the normal contingent called up for military service, which will thus be able to receive instruction on the spot, and to a strength of gendarmerie and police calculated on the basis of the strength of the gendarmerie and police existing in the whole of Greek territory.

The majority is opposed to the proposal of more extensive restrictions, which, by placing the Greek islands at the mercy of Turkey, might call for the application of corresponding restrictions to Anatolian territory.

The object of the provisions indicated above is, in fact, to make it impossible for Greece to proceed to offensive preparations in her islands against Turkey, while granting her the means which she needs to maintain order in her islands and to protect their territory against the incursions of bands and other attempts of a like order.

The Turkish delegation, constituting the minority, have presented the attached reservation.

Reservation of the Turkish Delegation.

THE considerations which the Turkish delegation on the Military Sub-Commision desire to set forth and the reservations which they wish to formulate on the proposals made this afternoon by the president are as follows:—

At this morning's meeting the president of the sub-commission argued, and adduced after long discussions evidence to prove, that the islands in question constituted a base of operations for an attack against Anatolia, and that the very heart of Asia Minor could thence be threatened; after this, the necessity for the demilitarisation of these islands was accepted in principle.

Discussing the limits of this demilitarisation, the French Admiral Lacaze argued that the phrase proposed by the president, "no naval base and no military port," included a prohibition to maintain hydroplanes.

When the president proposed to forbid the introduction of any artillery into the islands, his Excellency M. Veniselos asked for permission to maintain anti-aircraft guns there, and the president replied that as anti-aircraft guns could equally well be used as field guns, it was impossible to grant this permission.

Furthermore, General Weygand opposed the maintenance of hydroplanes in these islands, basing his argument on the wide radius of action of aircraft and on the numerous inconvenient results which might ensue therefrom.

On the other hand, it was recognised at the same meeting that the military establishments of the islands were capable of threatening Anatolia, whereas the batteries placed on the Anatolian coast could in no way constitute a danger for Greece herself, and that, consequently, there was no occasion to consider the military establishments on the Anatolian coast as having the same importance.

The Turkish delegation were astonished to observe that the proposals made to them at the afternoon meeting had no relation to the decision taken, on purely military grounds, in the course of the morning meeting. They were equally surprised to see that these proposals had the character of a decision taken by the other delegations beyond what was agreed upon during the morning meeting of the sub-commission.

From the standpoint of the maintenance of tranquillity and security in Asia Minor, the Turkish delegation, for reasons of a technical nature, finds itself obliged to insist upon the following technical nature, are obliged to insist upon the following régime for the demilitarisation of the islands:—

1. There shall be no military or naval base and no port of war in the islands of Mitylene, Samos, Chios and Nikaria.
2. No works of fortification of any sort shall be undertaken and no military establishment shall be maintained there.
3. With the exception of the gendarmerie, no armed forces shall be stationed and no depot shall be established there, nor shall any military preparations whatever be undertaken.
4. No aeroplane or hydroplane, nor any establishment capable of being utilised for aviation purposes, may be maintained there.
5. The desire has been expressed that the question of the demilitarisation of the island of Lemnos be examined simultaneously with that of the demilitarisation of the Straits. In view of the close inter-connection of these two questions, the Turkish delegation ask that the future sovereignty over this island be examined when the Straits question is dealt with.

No. 11.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Eighth Meeting, December 1, 1922, *at* 3·30 P.M., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
Mr. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

ROUMANIA.

M. Duca.
M. Diamandy.

GREECE.

M. Veniselos.
M. Caclamanos.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Mr. Ryan.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

Admiral Lacaze.
General Weygand.
M. de Lacroix.
M. Bargeton.
M. de Percin.
Lieut.-Col. Courtin.
M. Barois.
Commandant de Lamoricière.

ITALY.

M. Arlotta.
M. Guariglia.
Colonel Vitale.

UNITED STATES OF AMERICA.

Mr. Amory.
Mr. Heck.
Mr. Dwight.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

GREECE.

General Mazarakis.
M. Politis.
M. Michalopoulos.

And: Dr. Nansen and Mr. Philip Baker.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

KINGDOM OF THE SERBS, CROATS AND SLOVENES. M. Milanovitch.	TURKEY. Rechid Safvet Bey.

Interpreter: M. Camerlynck.

Exchange of Prisoners and Populations.

LORD CURZON said that he had invited the commission to meet in order to discuss a question of immediate importance arising directly out of the exchange of prisoners of war, namely, the exchange of populations between Turkish and Greek territory. This question closely affected the interests of both peoples and called for an early solution, because the livelihood of the people and the cultivation of the crops for next year were involved. Dr. Nansen had for some time been in negotiation with both Turkey and Greece on the subject, and had also been responsible for similar arrangements on a large scale elsewhere. Dr. Nansen had kindly prepared in English a speech which he would have liked to read to the conference, and in order to save time copies of it had been communicated to the Turkish and Greek delegations in advance. He (Lord Curzon) proposed to have this speech read out in French by the interpreter, and then to ask for the views of the Turkish, Greek and any other delegations who might wish to address the commission on the matter. He hoped that the discussion would eventuate in something tangible being done.

The following statement by Dr. Nansen was read:—

"1. I am very happy to have been able to accept the invitation conveyed to me by Lord Curzon to address this commission of the Peace Conference on the subject of the proposed exchange of the Greek and Turkish minorities in their respective countries.

"It is a matter to which I have been able during the last two months to give a great deal of attention and one which I venture to think deserves the consideration, and the immediate and earnest consideration, of the delegates gathered in Lausanne to-day. It is a matter which, after the investigations I have been privileged to make, I believe to be, and I speak advisedly, of real importance to the peace and economic stability of the Near East.

"It may perhaps be right for me to explain in a few words why I have devoted some time to the study of the proposed exchange of populations and why I have felt it my duty to make a report on the subject to the Governments of the members of the League of Nations. Having been charged by the Assembly of the League of Nations with work for the hundreds of thousands of refugees who, as a result of the recent war, had left their homes in the Near East, I proceeded at the beginning of October to Constantinople and Greece. While I was engaged in investigating refugee problems there I was privileged to enter into relations with the authorities both of the Turkish and Greek Governments, and to bring some small relief with the funds placed at my disposal by the members of the League to the starving refugees of both nationalities.

" It was while I was engaged on this task that I was invited by the representatives of the four Great Powers in Constantinople to endeavour to initiate negotiations between the Turkish and Greek Governments with a view to the conclusion of a treaty for the exchange of minority populations. In view of the fact that the Governments of the four Great Powers all believed such an exchange to be desirable, and as I shared their view that such an exchange, if it were made, should be made at once and without waiting for the conclusion of the final Treaty of Peace, I immediately entered into negotiations with the two Governments with a view to arranging an immediate agreement. I received the necessary consent of the Greek Cabinet and I made some progress in my negotiations with the representatives of Angora. It is in the hope that the matter may be taken up without delay and at the point which it had reached when I left Constantinople that I venture to address this commission to-day.

" 2. I should explain that in everything which I have done to impress upon the attention of individual members of the conference the importance of this question, I based my action upon a knowledge that all the Governments here represented are in favour of what I proposed. I know that the Governments of the Great Powers are in favour of this proposal because they believe that to unmix the populations of the Near East will tend to secure the true pacification of the Near East and because they believe an exchange of populations is the quickest and most efficacious way of dealing with the grave economic results which must result from the great movement of populations which has already occurred.

" In addition to the support given to the proposal by the Great Powers, I understand that the two Governments principally interested both desire that an agreement should be made. The Turkish authorities have assured me on no fewer than four occasions that they are in favour of such an exchange. The Greek Government has given me the same assurance in a series of official documents.

" 3. I think that the wishes of the Governments are sufficient justification for any effort which I have made to press the matter. But I do not disguise from the commission that my experience of the past two months and the very careful enquiries which I have made and the consideration which I have given to the whole subject have also brought me to believe that on its own merits the proposal for an exchange is one which is highly desirable in the interests of the countries principally concerned and in the interests of the peace of Europe. I do not pretend that the question is not full of grave difficulties. Anyone who has reflected upon what is involved in the displacement of populations of many more than 1,000,000 people, in uprooting these people from their homes, transferring them to a strange new country, in registering, valuing and liquidating their individual property which they abandon, and in securing to them the payment of their just claims to the value of this property, will understand that the difficulties are immense.

" On the other hand, the commission must remember that these difficulties, as I hope to show in a moment, are less at the present moment than they would have been at any earlier time, and that the reasons which make an exchange desirable are of greater force. I am also in a position to assure the commission that the experts whose assistance I have had in my consideration of this question—I refer to the two neutral members of the Greco-Bulgarian Mixed Commission on Inter-Migration—who have spent some years in considering the practical execution of just such an exchange of populations as we are now considering, are of opinion that what I may call the technical difficulties—difficulties, that is to say, of securing the just, prompt and efficient application of any agreement that may be made—are not insuperable. I think this view of these two experts, whose opinion on this question is certainly of more value than that of any other person or authority, should carry great weight with this commission and with the two Governments principally concerned.

"4. I do not wish to be understood to say that I believe that any treaty which may be made for the exchange of the Greek and Turkish minorities will give entirely satisfactory results. On the contrary, I believe that any exchange of populations, however well it were carried out, must impose very considerable hardships, perhaps very considerable impoverishment, upon great numbers of the individual citizens of the two countries who are exchanged. But I also believe that these hardships, great though they may be, will be less than the hardships which will result for these same populations if nothing is done. I wish I could impress upon this commission the gravity of the economic situation in the Near East as I see it to-day. There have been already very great displacements of populations; almost 1,000,000 people have left their homes in one country and flocked into the territories of the other. They have left their productive employment in Turkey and are without any possibility of securing other productive employment in Greece. This is a very grave matter, and I think it is not too much to say that unless something is done, and done quickly, to deal with it, the economic results for both countries—and these remarks apply, in my view, with as much force to Turkey as to Greece—will be disastrous.

"More can be done by a prompt and efficient exchange of minority populations to prevent these disastrous economic results from coming about than by any other measure which can be taken. Such an exchange will provide Turkey immediately and in the best possible conditions with the population necessary to continue the exploitation of the cultivated lands which the departed Greek populations have abandoned. The departure from Greece of its Moslem citizens would create the possibility of rendering self-supporting a great proportion of the refugees now concentrated in the towns and in different parts of Greece.

"But the consideration of the economic aspect of the matter—and I venture to think that for the present moment it is a most important aspect—obliges me to urge upon the commission that if such an exchange is to be made it should be made without the least delay. This seems to me desirable on every ground. Undoubtedly it would be easier from the political and psychological point of view to carry through an exchange of populations at a moment such as the present, immediately after the great crisis which has already caused a vast displacement of populations, than it will be when affairs have settled down to a quieter routine. The exchange will be more welcome now than it would be then to the individual citizens who are its object; and on economic grounds an immediate exchange is of the very first importance. It is vitally in the interest of both Turkey and Greece that in the coming summer they should have the maximum possible production of food; in other words, it is vitally desirable, from the Turkish point of view, that the rich lands of Thrace should give their normal crop in 1923, while it is equally in the interest of Greece that her agricultural refugees should be maintaining themselves by their own crops before next summer ends.

"To achieve these objects it is necessary that the actual exchange should be carried out, at least in part, by the end of February, three months from now.

"5. This is by no means impossible to achieve if the two Governments are willing to come to an immediate agreement, and are willing to put that agreement into immediate effect. I do not believe that the negotiations for such an agreement should be a lengthy or a difficult matter, and as for its practical application, I have only to remind the commission that in Eastern Thrace there are empty villages capable of accommodating easily 300,000 people, with ample supplies of seed and foodstuffs, with great quantities of agricultural tools, with many fields already ploughed and many more only waiting for their annual cultivation, all ready for immediate occupation by the incoming immigrant population.

"6. I have just said that, in my view, the negotiations for the necessary agreement need not be a lengthy or difficult affair. I say this because I believe the existing agreement between the Greek and Bulgarian Governments might be taken as a model, perhaps modified in some such way as I have modified it in the draft treaty which I presented for the consideration of the Turkish Government on the 2nd November. I assume that such an agreement as this does not cover every conceivable detail or point that may arise, but I suggest that these should be left for settlement in a special règlement which could be drawn up by the Mixed Commission, which would have to be established to apply the treaty. This was the procedure adopted by the Greco-Bulgarian Commission, and it was a procedure which worked extremely well. It is quick and efficient, and it absolutely safeguards the interests of both the parties.

"I understand that both the Turkish and Greek delegations are in the fortunate position of having at their disposal experts in this question of exchange. I believe that with the assistance of these experts it should be possible for the delegations, if I have rightly understood that it is their desire to make an exchange, to draw up the necessary treaty within a week or two's time from now.

"7. I need not say that I am aware that there are several highly important political questions which must be answered before such an agreement can be made.

"Whether the treaty, for example, should be based on the principle of compulsory or of voluntary emigration.

"What is the area of its application.

"What is to be the nature of the Mixed Commission or other machinery which must be established to carry it into practical execution.

"These questions require answers before any agreement can be made. I believe, however, from what I gathered to be the views of the two delegations, that agreement could be reached on all these points with a minimum of delay, and I do not think, therefore, they constitute any reason for postponing the immediate treatment of the question.

"8. Perhaps I may be permitted to add just one word on the last of the three questions which I have raised : the nature of the Mixed Commission or other machinery which would have to be established to apply the treaty of exchange.

"As everyone here is aware, the Mixed Commission, established under the Greco-Bulgarian Treaty of Exchange, consists of one representative of each Government and of two representatives appointed by the Council of the League. May I venture to suggest that in any agreement by the Turkish and Greek Governments, they would do well to adopt the same plan. I know something of the working of the Greco-Bulgarian Commission. I know that the very real success which it has hitherto achieved has been due, and I think I may say due exclusively, to the absolute impartiality of the two neutral members ; to the fact that these members were responsible to no particular Government, but had only as their sole duty to execute faithfully and conscientiously the mandate they had been given by the Council of the League of Nations. I venture to suggest to my Turkish friends that they could confide their interests in this matter to the Council of the League with absolute confidence, and they would be in safe hands. I have had much experience of the League. I have seen its dealings with countries which are not yet among its members, and I have no hesitation in saying that its spirit of impartiality is not only the great weapon by means of which it has brought about the very great results which it has already been able to achieve, but that it is a guarantee of justice, in which every Government, whether a member of the League or not, can place implicit confidence."

Ismet Pasha was surprised to see on the programme of the meeting a question not mentioned in the official agenda previously issued, which only included the question of exchanging prisoners of war. The problem raised by Dr. Nansen's statement bore no relation to the subject which he had prepared himself to discuss. Nevertheless, he had listened with interest to Dr. Nansen's statement, to which he could only attach a personal character as no official relations existed between Turkey and the League of Nations ; he regarded it as emanating from a private person. It was also because of the private character attributed to Dr. Nansen's activities that it had proved impossible to carry his negotiations with Turkish officials beyond a certain point.

The question of the exchange of populations seemed to him to be bound up with the solution of the question of minorities in Turkey. If the conference recognised (as he hoped they would) the connection between the two problems—exchange of populations and minorities—the Turkish delegation would expound their views at a subsequent meeting.

His general view was that it was certainly important to remedy as soon as possible the lamentable and pitiful situation of the hundreds of thousands of unfortunate people now homeless or destitute, both in Anatolia and in Thrace; but he thought that the present meeting could not profitably deal with other questions besides the exchange of prisoners.

Lord Curzon wished to make a few observations in reply to Ismet Pasha because he thought there must be some misunderstanding. He had never intended that the discussion that afternoon should be limited to the question of prisoners of war, for that was only a small corner of a very much larger issue, and he had informed the various delegations that the discussion would extend to the exchange of populations between Turkey and Greece.

Ismet Pasha had said that Dr. Nansen's statement emanated from a private individual, and that the relations of Dr. Nansen with the Turkish Government had been entirely unofficial. This point was unimportant. The real importance of the question lay in the fact that it vitally affected the interests of Greece and Turkey, no matter who brought it forward.

Ismet Pasha had quite fairly made the point that Dr. Nansen proposed to bring in the League of Nations, with which the Turkish Government were not in relations. Perhaps later on the Turkish Government might think fit to establish such relations; but surely it was not necessary to raise such a question of machinery at the present meeting. The task before the commission was to consider the general principles on which they were to proceed.

Ismet Pasha had said that the question really involved the larger issue of the protection of minorities as a whole. That was quite true. When the question of exchanging populations between Turkey and Greece came to be examined it would be found impossible to remove the whole of the population in every case. Those left would be in a minority, and measures for their protection would doubtless have to be discussed in due course. He rejoiced to hear that Ismet Pasha would be ready to discuss the whole minorities problem at an early date, and he derived some encouragement from Ismet Pasha's statement at the end of his speech that it was a matter of urgency to remedy the state of all the poor people now wandering about without shelter. That raised the whole question of the exchange of populations, which was the object of the present discussion. He had much to say on the subject himself, and so doubtless had the Greek delegates, and possibly others too.

His own feeling about all the proceedings of the conference was that he wanted to get on. The delegates had now been in Lausanne nearly a fortnight, and had already made considerable progress. The Turkish delegation had been very good in responding to all the calls made upon them, and he hoped that they would not think he was driving them too hard. Lausanne was a very agreeable town, but they did not all want to spend Christmas there. He therefore urged that the discussion on the exchange of populations should begin at once, and that, if it was not finished that afternoon, it should be continued at an early date, because the lives of men, women and children depended on it.

M. VENISELOS agreed with Ismet Pasha as regards the exchange of prisoners of war.

On the subject of the exchange of populations, he accepted the principles suggested by Dr. Nansen. If the Ottoman Government did not accept those principles, he was ready to discuss with it the possibility of reaching agreement on other conditions. The point which he wished to emphasise was that a solution was urgently required. Thousands of people had left Eastern Thrace; the fields had been abandoned before the sowings could be finished. It was therefore to the interest of everybody, Turks as much as Greeks, that a solution should be devised as quickly as possible.

M. BARRÈRE observed that the discussion had shown all delegations to be agreed regarding the necessity of effecting the exchanges as early as possible. If the two delegations specially concerned could arrive at an agreement by means of direct negotiations and conversations, it would certainly be for the greatest good of humanity.

M. VENISELOS thought that the most expeditious method would be to set up a very small sub-commission consisting of one Turkish delegate, one Greek delegate and a president nominated by the conference. Dr. Nansen could be called upon by the sub-commission to give his opinion. This would be the quickest way of reaching a solution, and it would only be necessary to refer the matter back to the main commission if differences arose in the course of the sub-commission's work.

ISMET PASHA agreed to the question being studied by a sub-commission, but thought it necessary to express the general view of the Turkish delegation on the two connected problems now laid before the conference. It was essential that the Turkish point of view should be known in advance and that two most urgent questions should be discussed and settled before that of the exchange of populations.

His delegation demanded the immediate release of the Turkish civilian prisoners carried off by the Greek army and deported to Greece; they had a complete detailed list of them. This measure must be unilateral, because there were no Greek civilian prisoners in the hands of the Turks, whose armies had not operated in Greece.

His delegation also claimed that the Turkish prisoners of war detained in Greece should be set free without delay. The Greek prisoners interned in Turkey would only be restored to Greece when peace was concluded. However, if the Greek Government gave evident proof of its goodwill in liberating the Turkish prisoners, the Grand National Assembly of Turkey could consider the possibility of setting the Greek prisoners free before the conclusion of peace.

Ismet Pasha then examined the exchange of populations between Turkey and Greece from a general point of view. Eastern Thrace had only been handed over to the Turkish authorities the day before (the 30th November). It had thus been impossible to collect the necessary data by which to estimate the housing capacity of the villages abandoned there by the Greeks. In the liberated part of Anatolia a countless number of people were still wandering about without any possibility of obtaining shelter. While the Greek refugees, as M. Veniselos had admitted, were able to find lodging with the Moslems of Greece, hundreds of thousands of Turks would have to leave their homes in Greece and go to swell the numbers of the homeless in Turkey.

On the other hand, the Turkish Government understood that the Greeks, when leaving Thrace, had carried off a large portion of the property, crops and cattle belonging to the Turks. It was difficult as yet to estimate how much the number of homeless persons in Asia Minor had been increased by the arrival of thousands of other Turkish emigrants from Greek territory.

It was necessary to examine whether such measures were applicable and to what degree, and this required careful investigation. In any case, if an exchange were effected, the Greek population of the whole of Turkey, including Smyrna and Constantinople, would be included. After comparing once more the lot of the Turks who had left their houses and property in Greece and gone to settle in Anatolia, which was devastated by the Greek invasion, and the fate of the Greek refugees who would go and take possession of properties left intact by the Turks in Macedonia or other Greek territory, Ismet Pasha concluded by saying that he could only agree to the question being examined by the sub-commission if and when Greece had given proof of her goodwill in the question of prisoners.

M. Veniselos noted that Ismet Pasha accepted the exchange of prisoners of war on condition that the Turkish prisoners of war should be handed over by Greece to Turkey immediately, whereas Turkey would only liberate the Greek prisoners of war on the conclusion of peace. The Greek Government could not negotiate on such a basis, but was ready to propose the exchange of an equal number of prisoners of war now in the hands of the two parties. In this way the sufferings of the prisoners of war would be diminished as far as possible, although they could not be entirely eliminated with the best will in the world.

He must, on the other hand, contest Ismet Pasha's argument that the exchange of populations would result in an increase in the number of homeless people in Asia Minor. In point of fact, there were a million refugees in Greece. These refugees had left their houses without destroying them. True, out of that million some 200,000 came from Smyrna, and in consequence of the burning of that town the Greek population who had had to depart had not left habitable houses behind them. In Eastern Thrace and Anatolia, however, there was housing accommodation for 800,000 persons; Dr. Nansen, who had examined the question and visited the country, could give evidence to this effect. That was why the problem of homeless persons was so acute for Greece, but really non-existent for Turkey, whatever Ismet Pasha might say.

He did not wish to insist on the Turks resident in Greece being obliged to leave. In that connection he must observe that the majority of the refugees in Greece were without shelter, and were at present accommodated in churches, schools or tents. There were, in fact, very few who had been lodged in the houses of Moslems; the latter had merely been invited to house some refugees in such parts of their dwellings as were available. He repeated that he did not wish to oblige the Turkish population to leave Greece. What he had in mind was a voluntary exchange of populations. His idea was that it would be best to settle this question in a definite and humane manner.

A special question arose as regards Constantinople. M. Veniselos could not allow that the thousands of Greeks who lived there, with the addition of numerous refugees from Thrace and Anatolia, should be obliged to leave that city. Such an expulsion would amount to an unprecedented political, economic and social catastrophe. If Turkey actually insisted on such an exodus, the number of refugees in Greece would be so great that he would be obliged to ask America, the great democracy of the West, to increase, for the benefit of these refugees, the percentage of immigrants which she was willing to receive. Apart from this reservation he was ready to consider an exchange of populations, either obligatory or voluntary.

LORD CURZON said that the discussion had shown how grave and urgent the question was. It was evident that the exchange of populations could only be carried out after careful examination, and, above all, with goodwill on both sides. He hoped that the further discussion of the matter would be pursued with the good temper which had prevailed that afternoon.

He would like to add a word upon the principles to be adopted. M. Veniselos was prepared to consider either the voluntary or the compulsory exchange of populations. Doubtless everyone would instinctively prefer a voluntary exchange if that were possible. Exchange had been voluntary in the Græco-Bulgarian case. If a sub-commission were appointed, they would no doubt consider the matter; but he thought that compulsion would very probably be found necessary for more reasons than one. If the exchange were left on a voluntary basis, months might pass before it was carried out, whereas what was wanted was firstly to get the Turkish population back into Eastern Thrace so that they might till the soil early next year; and, secondly, to provide for the accommodation in Greece of the refugees pouring in from other parts. Also if the exchange were compulsory, it would be easier to secure payment for the property which people were obliged to leave behind them.

On the question of the numbers affected, Ismet Pasha had said that the Turkish delegation were not in possession of sufficient data. He (Lord Curzon) had taken some trouble to obtain the figures which he would now quote, in order to show the magnitude and urgency of the problem.

According to American figures, there were in Asia Minor in 1914 1,600,000 Ottoman Greeks; during the years 1914–18 they had decreased, through deportation and otherwise, by between 300,000 and 400,000. Between the spring of 1919 and the summer of 1922, some 200,000 more were believed to have died from the effects of deportation or other forms of suffering. According to other statistics of great authority, which he had received from people who had been there, at least 500,000 Ottoman Greeks reached Greece from Ionia in September and October 1922. Thus, out of the 1,600,000 Ottoman Greeks in Asia Minor in 1914, 1,000,000 to 1,100,000 had been killed or deported, had fled or died. There remained about 500,000 in Asia Minor still to be dealt with. The majority of these were probably males between 16 and 50 years of age who were working on the roads and the devastated areas. In this connection, the Turkish Government had invited all the Christians of Asia Minor, with the exception of the above-mentioned males, to leave before the 30th November (in some cases the 15th December), and to sell their property to Moslems when they went.

He would next turn to the Greek population in Constantinople. In 1914 the number was estimated at about 300,000. The figure recently given was 400,000, the increase no doubt being attributable to the influx of refugees. The Greeks of Constantinople had of late been leaving very rapidly, at the rate of 3,000 a day (it was said) since the Mudania Agreement; he had recently heard that 15,000 Greeks had left Constantinople during October alone. Nevertheless, many still remained. He wanted to put to the Turkish delegates the following point, to which M. Veniselos had already alluded. This population of several hundred thousands was, of course, included in the problem now under discussion; but his (Lord Curzon's) experience led him to think that its removal would entail a very serious economic and industrial loss to Turkey herself. He believed this population was vital to the existence of Constantinople as a great city of commerce and industry, and that without it Constantinople would be in danger of losing its authority, wealth and trade. He therefore hoped that the sub-commission, if set up, would consider the desirability of persuading the Turkish Government to keep the Greek population in Constantinople.

As against this, one could set the Turkish population of Western Thrace, which had been estimated a few days previously at 124,000 in 1912. The Turkish delegation had expressed no desire to expatriate these persons, and it was believed that they were not anxious to leave. He suggested that a sub-commission might examine these two aspects of the case and see whether the two elements could be set against each other.

The next point was the number of Hellenic Moslems in Greece. The number in old Greece was about 4,000, and in new Greece, including Crete and the islands, but not Eastern or Western Thrace, approximately 360,000. The Turkish population of Western Thrace was about 124,000. These figures, if correct, gave a total of between 450,000 and 480,000 Moslems in Greek territory.

The Greek population of Eastern Thrace before recent events was said to be about 300,000, if not more. As M. Veniselos had said, the whole of this population had now fled to Greece; the total number given to Dr. Nansen by Hamid Bey in October was 320,000. Thus an empty area was now left in Eastern Thrace, occupied until last month by 320,000 people, and awaiting the return of a corresponding number of Turks if they could be found. Although the Greeks might have carried off their cattle with them as suggested by Ismet Pasha, they had left behind them large stocks of grain which could be set off against the cattle.

The number of military Turkish prisoners of war in Greek hands was estimated at 10,000, and in addition there were a number of

Turkish civilians from Asia Minor held as hostages by the Greeks, who were said to number 3,800. On the other hand, the number of Hellenic and Ottoman Greek prisoners in Turkish hands was about 30,000; and to these must be added 70,000 to 120,000 deported male refugees in Asia Minor, who were presumably to be returned to Greece, subject to some such condition as that they should not serve in the Greek army.

Such being the dimensions of the population concerned, how was the commission to deal with the problem? Both Ismet Pasha and M. Veniselos were apparently in favour of referring the matter to a sub-commission. M. Veniselos had suggested a small sub-commission, consisting of a Greek and a Turkish representative, with an independent chairman, which should take evidence from Dr. Nansen or any other source. He (Lord Curzon) thought this a very good idea, and suggested that the sub-commission should be directed not merely to explore the subject, but also to draw up a draft convention for signature by the two parties with as little delay as possible. He hoped the sub-commission would bear in mind the points on which he had just spoken, namely, the voluntary versus the compulsory system; the special conditions in Constantinople and Western Thrace; the prisoners of war; the refugees; and the population as a whole. This, however, only touched a fringe of the question; guarantees for the minorities left behind after the exchange would have to be discussed later on. He would propose the immediate formation of a small sub-commission consisting of representatives of the three inviting Powers, Greece and Turkey. The sub-commission might perhaps invite the Italian representative to be chairman (as Italy was very much interested in the problem), and would doubtless take evidence from whatever quarter it desired.

M. VENISELOS could well understand Ismet Pasha's desire to get back the civilian prisoners detained by Greece. He wished, however, to point out that these prisoners had not been carried off, as Ismet said, contrary to international law. In the course of the occupation of Turkish territory by the Greek armies, the Greek command had only exercised its right to detain persons whom it considered as dangerous for the safety of the army. In any case, did Ismet Pasha think that the sufferings of these civilian prisoners' families—which arose simply from the absence of the prisoners from home—were comparable with those of the people who had had to leave Anatolia? Among those unfortunate people, who numbered some hundreds of thousands, almost all were women, children or old men: all able-bodied men between 18 and 52 had been kept in the interior of Anatolia. He hoped these sufferings would be weighed in the balance, and that the two questions would be considered simultaneously.

The commission adopted the following resolution:—

> "It is decided that the question of the exchange of populations between Greece and Turkey, including the return of prisoners of war and civil hostages, shall be examined by a sub-commission consisting of representatives of each of the three inviting Powers, of Turkey and of Greece, under the chairmanship of an Italian delegate. The sub-commission will hear Dr. Nansen on the question, and collect such evidence as it may think fit."

Ismet Pasha said that the sub-commission to which these three questions had been referred should deal, first of all, with the liberation of Turkish civilian prisoners. It was essential that the witnesses to be heard with a view to enlightening the members of the sub-commission should know the country.

The Turkish delegation intended to examine and verify the statistics given by Lord Curzon and M. Veniselos, but they had no hesitation in stating at once that in 1914 there had never been 1,600,000 Greeks within the frontiers of the Ottoman Empire, including Constantinople. On the other hand, the figures given for the Turks resident in Greek territory seemed to be far below the real figures.

He had only wished to consider the problem in its general aspect. Eastern Thrace, of which mention had been made, had only been recovered by the Turkish authorities on the previous day (30th November), and therefore he could not know how many of the villages there were habitable. On the other hand, according to the Allied generals' reports, the crops which the Greeks had not been able to carry off had been burnt by them at the time of their departure.

To sum up, the subjects to be examined by the sub-commission ought to classified in the following order :—

1. Question of civilian prisoners.
2. Question of prisoners of war.
3. Exchange of populations.

He insisted that the carrying off and deportation of civil prisoners had no analogy with the other problems. The Greeks had deported to Greece from all the villages and towns occupied by them thousands of Turks chosen specially among the intellectual, rich and prominent classes. The Turkish delegation had lists of these deportees. International law did not allow the deportation and imprisonment of the civil population in an occupied country. The Greeks had acted in this manner with the sole object of annihilating Turkey's popular, intellectual and economic life.

Ismet Pasha demanded that a decision should first of all be taken regarding the immediate release and return to Turkey of these deportees.

The Turkish Government considered it its duty to insist on most scrupulous enquiry being made in order to discover what had happened to all the deportees who might be missing when the civil hostages were set free. He felt sure that his request would be supported by the Powers because at the time of the Mudania negotiations the Allied generals, at the second meeting of the fifth session held on the 7th October, 1922, had formally promised to telegraph to their Governments asking them to require of the Greek Government the immediate liberation of the Turkish deportees.

(*The commission rose at* 7·20 P.M.)

No. 12.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Ninth Meeting (First Meeting of the Straits Commission), December 4, 1922, at 11 A.M., under the presidency of Lord Curzon.

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

BULGARIA.

M. Stamboliisky.
M. Stanciof.
M. Theodorof.

RUSSIA, UKRAINE AND GEORGIA.

M. Chicherin.
M. Rakovski.
M. Mdivani.
M. Vorovski.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Mr. Lindley.
Admiral Sir R. Keyes.
Major-Gen. Burnett-Stuart.
Mr. Malkin.
Captain Pound, R.N.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Major McLeod.
Mr. McClure.

FRANCE.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. de Lacroix.
M. Bargeton.
M. de Percin.
M. Barois.

Italy.

M. Arlotta.
Colonel Vitale.
M. Guariglia.

United States of America.

Mr. Dwight.
Mr. Amory.
Mr. Wheeler.

Japan.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

Greece.

General Mazarakis.
M. Michalaopoulos.
M. Dendramis.

Roumania.

M. Contzesco.
Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Christitch.
M. Antitch.

Turkey.

Munir Bey.
Moukhtar Bey.
Lieut.-Col. Tevfik Bey.
Captain Shevket Bey.

Bulgaria.

Mgr. Stephan.
M. Mouravief.
M. Morfof.
Colonel Noicof.
M. Grozkof.

Russia, Ukraine and Georgia.

M. Berens.
M. Chapochnikof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.
Mr. Bentinck.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Rechid Safvet Bey.

Bulgaria.

Mlle. Stanciof.
M. Altinof.

Russia, Ukraine and Georgia.

M. Sabanine.
M. Pastoukhof.
M. Ahrens.
Mme. Zaretzkaia.

Interpreter: M. Camerlynck.

LORD CURZON expressed some concern at the appearance of the conference room, which seemed hardly sufficient for the number of persons assembled. He was far from wishing to exclude those whose presence was necessary; but, as great moderation had hitherto been observed in this respect, he urged that, in the interest of general convenience, a smaller number of experts and secretaries should in future accompany the delegations now present for the first time.

The question of the Straits was one of the most important before the conference, since it concerned not only the countries recently at war and the States in the immediate neighbourhood, but the whole world. This great international highway had figured in various treaties for the best part of a century, and he hoped that the conference might succeed in laying down a new règlement for its future. He felt sure that all would approach the question with the gravity, sincerity and courtesy which had hitherto characterised the proceedings of the conference.

As at previous meetings, he would first invite the Turkish delegation and then the other delegations to state their views. The commission would be glad to hear the views of the Russian delegation (which was now present for the first time, and was greatly interested in the question), and also those of the Roumanian, Bulgarian and Greek delegations. The conference might be assured that these views would be most carefully examined. No reply would be returned by him and his Allied colleagues without complete deliberation, and it might be necessary for the commission to adjourn for this purpose.

ISMET PASHA said that the Turkish Government had had the honour to inform the Allied Powers in the note of the 4th October, 1922, that the Straits question could not be discussed and settled without the participation of Russia, the Ukraine and Georgia. At the conference itself the Turkish delegation had constantly expressed this view whenever the discussion touched the Straits question. They now hastened to express their satisfaction at seeing the delegates of those Governments take part in the proceedings.

As the Straits of the Dardanelles and the Bosphorus were situated in territory under the sovereignty of the Turkish State, it was hardly necessary to say that the question was of the greatest interest and of very special importance for Turkey. The Turkish delegation trusted that, with a view to establishing general peace on a solid basis, this problem would be solved in such manner as to reconcile all the legitimate interests concerned.

The view of the Turkish Government in this matter had been proclaimed four years since in the National Pact, as follows:—

> "The security of Constantinople—the capital of Turkey and seat of the Caliphate—and that of the Sea of Marmora must be sheltered from any attack.
>
> "This principle having been laid down and accepted, the Turkish nation is ready to subscribe to any decision which may be taken by common agreement between the Turkish Government, of the one part, and the Powers concerned, of the other part, with a view to ensuring the opening of the Straits to world trade and to international communications."

These principles reflected the general point of view of Turkey. The Turkish delegation proposed to take this criterion as the basis for all comments and requests which they might have to make in connection with proposals from the interested States for the solution of the Straits problem.

Lord Curzon expressed the earnest hope that the declaration just made by his Excellency Ismet Pasha was not to be the only contribution of the Turkish delegation to the discussion. He had observed that the Turkish delegation often began by giving their views with great modesty in two or three sentences which they expanded into a fuller statement later on. He trusted they would do so in the present case. Ismet Pasha had expressed satisfaction—which he (Lord Curzon) shared—at the presence of the Russian, Ukrainian, Georgian and Bulgarian delegates; he had said that the Straits, being situated in Turkish territory and under Turkish sovereignty, were of the greatest interest and importance to Turkey; that the inviolability of Constantinople and the Sea of Marmora was a part of the National Pact; and that the Angora Government was ready to conclude international agreements whereby the Straits would be open to the commerce of all nations. That was all; the Turkish delegation had supplied no indication whatever of how their views were to be put into effect. In their note of the 23rd September, the inviting Powers had given a distinct sketch of their views on the matter, including such questions as the demilitarisation of zones and the placing of the Straits under the protection of some supervising body, possibly the League of Nations. The Turkish delegation would also remember that the question of demilitarisation had recently been discussed in connection with the frontiers of Thrace, and a decision had been postponed pending a debate on the demilitarisation of the Straits. He had thought that Ismet Pasha would furnish his views on this and other aspects of the subject, and indicate how the interests of Turkey could be reconciled with the other great interests involved. It was obvious that unless Ismet Pasha made such a contribution, the present discussion, on which the eyes of the whole world were fixed, would be abortive. If Ismet Pasha were not ready to speak, another delegate must be invited to do so.

Ismet Pasha replied that he had nothing further to say at present.

Lord Curzon expressed the hope that, although the delegates could not hear the views of the Turkish representatives that morning, they might have the pleasure of doing so during the afternoon.

M. Chicherin read the following statement:—

"The main object of the Russian Government and of its allies in the Near East, and also in the whole of their foreign policy, is to contribute towards establishing and consolidating general peace. The Russian Government and its allies therefore welcome the assembling of a conference having as its object the establishment of peace in the Near East. The Russian Government, when claiming to participate in all the labours of the Lausanne Conference, was guided by the conviction that this participation was an indispensable condition to ensure the stability of the decisions taken by the conference. As, however, this request of the Russian Government unfortunately was not granted, the delegation of Russia, the Ukraine and Georgia will endeavour to realise two fundamental ideas in those questions where the delegation is to participate in reaching a solution: (1) equality for Russia and her allies with other Powers as regards position and rights, and (2) the preservation of peace and security in the territories of Russia and of the republics allied with her and freedom in their economic relations with other countries.

"The Russian, Ukrainian and Georgian delegation, while reserving the right to submit later on detailed schemes for the solution of the Straits question and of the problems connected therewith, think they need only deal for the moment with the fundamental principles of their programme. Permanent freedom for commercial navigation and for peaceful maritime communications in the Bosphorus, the Sea of Marmora and the Dardanelles must be ensured absolutely and without any restriction. There must be lasting guarantees for the maintenance of peace in the Black Sea, the safety of its shores, peace in the Near East and the security of Constantinople; that is to say, the Dardanelles and the Bosphorus must be permanently closed both in peace and in war to warships, armed vessels and military aircraft of all countries except Turkey.

"The principle of freedom for peaceful navigation in the Straits and the principle of closing the Straits to all vessels of war mutually complete each other, as only the fact that they are closed to all warships, armed vessels and military aircraft of other nations can effectively guarantee the freedom of peaceful navigation in those waters. The Russian Government and its allies, basing their argument on the fact that the Dardanelles and the Bosphorus belong to Turkey, and respecting as they do the sovereignty of each people, insist on the re-establishment and full maintenance of the rights of the Turkish people over Turkish territory and waters. The Russian Government and its allies insist further on the fact that the Turkish Government will only be in a position to defend the Straits and the Sea of Marmora effectively against all attacks if it receives express recognition of its right to fortify and arm its coasts, to possess a war fleet and to apply to the defence of the Straits and of the Sea of Marmora all the technical accessories of modern warfare. The system recommended by us has always been recognised in the past by the States represented here as that which is best able to reconcile divergent political interests. The closing of the Straits to warships is also in accordance with the principle of equality between all States, whereas the opening of the Straits to warships would confer a preponderant position on the strongest sea Power. The Russian Republic and the republics allied with it have no aggressive, militarist or warlike intentions whatsoever, and harbour no plan against the liberty of other peoples; that is why these Governments, whose permanent aim it is to watch over the interests of the working masses and to contribute towards the economic development of the world, put forward the principles outlined above as the only possible solution of the Straits problem. Soviet Russia has annulled without any compensation all the agreements regarding the transfer of Constantinople to Russia; she has thereby enabled Turkey to defend her existence victoriously; she has liberated all the States of the Mediterranean from the threat of the century-old ambitions of Tsarism; but it was never her intention to acquiesce in a solution of the Straits problem aimed directly against her own safety.

"The Russian Government and its allies must once more lay stress on the paramount importance of the Straits for the economic life of the Soviet Federation. They need only point out that, according to the statistics of 1910, more than 70 per cent. of the whole export of corn from Russia was shipped from ports of the Black Sea and the Sea of Azof. Moreover, from the point of view of defence, the solution recommended by us establishes the only possible guarantee for the most vital and elementary interests of Russia and her allies. It will suffice to refer to the situation of the southern coasts of the Soviet republics during recent years, under the maritime régime instituted by the armistice of Mudros, when the fleets of the Powers were able to enter the Black Sea without hindrance. One need only recall the occupation of Odessa, Nikolaief, Kherson, Sebastopol, Batum and other ports of the Black Sea by the Allies. It was only the passage of the Allied naval forces through the Straits which enabled the Powers of the *Entente* to create in our southern districts the armies of Denikin and Wrangel and to support their fight against the Governments of Russia and her allies. In 1921 Allied naval forces were still operating on the coasts of Georgia, fighting against the Georgian people, who had taken command of their own country. But it is not only the interests of Russia and her allies, but also those of the Turkish people, which are at stake. We note that article 4 of the Turkish National Pact declares, in terms almost identical with ours:—

> "'The safety of Constantinople—the capital of the Empire and seat of the Caliphate and of the Ottoman Government—and also the safety of the Sea of Marmora must be sheltered from any attack.
>
> "'This principle having been laid down and accepted, the undersigned are ready to adhere to any decision which may be taken by common agreement between the Ottoman Government and the Powers concerned with a view to ensuring the opening of the Straits to world trade and international communications.'

"The safety of Constantinople—that is to say, the closing of the Straits to warships, and freedom for commercial navigation and peaceful transit through the Straits—is absolutely in accordance with our programme. The Russian delegation are convinced that the present *de facto* situation in the Straits must be replaced with the least possible delay by the permanent and equitable régime advocated by Russia and Turkey. If it is legitimate to suppose that certain Governments, whose naval and military forces are now at the entrance to the Black Sea, are harbouring hopes having no basis in reality, we must point out that certain positions are untenable. Any solution based on the presence in the Straits of forces belonging to certain Powers, and tending to create a preponderant situation for one Power or group of Powers, will encounter determined opposition not only from Russia and her allies, but also from public opinion in all countries which desires to eliminate those causes of conflict in the Near East which constitute a permanent menace to the cause of peace."

M. DUCA wished to state the reasons for which Roumania felt it desirable to make known her views on the Straits question—a question of great importance both politically and economically.

Roumania had a population of 18,000,000, and her economic life was developing vigorously: she had great natural riches; she had access to one free sea only; it was of the greatest interest for her that that sea should not be closed. Roumania, who had always been jealous of her national sovereignty, understood the concern of other States to have their own sovereignty respected; but that desire must not be pushed to such an extreme that the sovereignty of other States would be injured thereby. In other words it was desirable that a State whose interests were opposed to those of Roumania should not be able to close the Straits.

The conference had already recognised the need of giving Bulgaria access to the Ægean Sea. Agreement had not yet been reached regarding the method whereby that outlet was to be given to Bulgaria, but there was no longer any difference as regards the principle itself. Bulgaria had a population of 5,000,000 only, the importance of her economic life was not equal to that of Roumania, and she possessed two ports on the Black Sea; and yet the need of giving her access to the Ægean had been recognised. It was therefore necessary *a fortiori* that there should be no danger of the Black Sea—on which Roumania had her only outlet—being closed.

For a long time past the Powers had found it necessary to place the Danube, which flowed into the Black Sea, under a régime of international freedom. That freedom could not be real unless this international river were free up to its final outlet, the Straits.

In these circumstances it was clear that Roumania must insist on a régime of complete liberty as regards the Straits, and could not be satisfied with the assertion of a platonic wish or with a declaration of principle recorded in a treaty. She wished for the establishment of a régime which would ensure the practical and effective liberty of the Straits. The Roumanian Government could not, therefore, agree to the key of the Straits being in the pocket of one Power alone, which could open or shut the gate at its will. An international régime should be set up which would merge the interests of one Power in the common interests of all the other Powers.

The Straits must therefore be free for the passage of ships of war and of commerce without any restriction or limit. The coasts of the Straits from the Ægean Sea to the Black Sea should be demilitarised in a manner to be settled by experts, and in this respect account should be taken of the measures to be adopted for demilitarising the frontier of Thrace.

With a view to ensuring the execution of these measures a commission of the Straits should be set up in a form to be defined later on.

M. Duca wished to invite Ismet Pasha's attention in a friendly manner to the fact that present circumstances, which apparently dictated the attitude of the Turkish Government to an excessive degree, might change; Turkey might one day come to regard the system advocated by M. Duca as a more complete guarantee of her sovereignty.

Finally, the Roumanian Government, which had proposed at Genoa the conclusion of a permanent pact of non-aggression with Russia, proposed the disarmament of the Black Sea.

The Roumanian delegation made these proposals to the conference in the conviction that they were in harmony with the general and lasting interests of all the Powers, and not merely with their interests of the moment. They would therefore make every effort to secure the adoption of these proposals, and were convinced that in doing so they were serving the cause of world peace, which was the goal of all the aspirations of the Roumanian people.

M. STAMBOLIISKY read the following statement:—

"We have the honour to explain to the conference that the vital interests of Bulgaria call for the establishment of the principal market for her national production and also of her most important maritime position on the Ægean Sea at the mouth of the Maritza.

"The reason for this is that the natural highways of the country lead to that sea, and that the place indicated is the only one where we could create a real maritime base which is essential for our commercial relations with all overseas countries.

"But as Bulgaria is also a country bordering on the Black Sea, and as part of our produce will continue to be exported by the ports of Varna and Bourgas, Bulgaria cannot disinterest herself from the régime which is to be instituted on the only route connecting the Black Sea with the other seas of the world. We consider that the freedom of the Black Sea is a question of equal interest to all the littoral States.

"Bulgaria has in the past given abundant proof of strictest equality and absolute impartiality as regards the treatment granted in her ports to all ships of whatever nationality in respect of berthing of ships, utilisation of machinery and the levying of dues. In this respect there has never been any preference whatever, not even for ships flying the national flag.

"Our attitude towards world shipping enables us to announce to-day that Bulgaria is ready to adhere to the measures whereby a régime will be established in the Bosphorus and the Dardanelles assuring full liberty of passage to all merchant vessels both in peace and in war.

"Bulgaria also wishes to participate, as is just, on a footing of equality in the international administration to be set up for the purpose of guaranteeing the freedom of navigation through the Straits.

"As our State is a neighbour of the possessors of this world route, we regard it as absolutely necessary and most desirable to set up once and for all a régime which will prevent international conflicts in future and deliver us for all time from any political and economic restrictions."

M. VENISELOS said that he agreed to the creation of a commercial outlet for Bulgaria on the Ægean Sea and to the internationalisation of the Maritza for that purpose, under the same conditions and with the same guarantees as in the case of international rivers such as the Danube. As regards the régime of the Straits he pointed out that among the Powers interested in the traffic of the Straits, Greece came second, and he reserved the right to make some remarks on this subject after the Turkish delegation had stated their case. He merely wished to observe that, as M. Duca had stated, Turkey should not let herself be inspired in this debate merely by a somewhat exaggerated care for her national sovereignty; in this connection, he mentioned that, in order to furnish a guarantee for the free commercial access of Bulgaria to the Ægean Sea, Greece had been requested to agree, in Western Thrace, to the demilitarisation of the Maritza corridor and to the formation of a supervising commission which would itself undertake the management of the port to be constructed. These were important restrictions to Greek sovereignty on that territory, which were inspired by the interests of one Power only, Bulgaria, but which Greece had nevertheless accepted. It would therefore appear that Turkey on her side could, without taking exception, agree that similar guarantees should be given as regards freedom of transit in the Straits, especially as in this case the interests of so many Powers were affected.

Lord Curzon said that he would only add a few words at the present stage, and would not criticise or attempt to reply to the statements which had been heard, as these required close and careful consideration. The conference should understand the exact present position. The Turkish delegation had declined to give their views until later. The Russian delegation had put forward a complete, carefully thought out scheme comprising certain definite suggestions, namely, the permanent liberty of commercial navigation both in peace and in war for ships of all countries without distinction; the closing of the Straits and the Sea of Marmora to warships and aircraft of all nations except Turkey; and liberty for Turkey to fortify the shores of the Straits, and to maintain there such naval and military forces and appliances as she might think desirable. It seemed remarkable that this programme, which provided chiefly for the defence of Turkish interests, should be put forward by Russia. While listening to this proposal, he had thought M. Chicherin must have mistaken his rôle and assumed the *kalpak* of Ismet Pasha. M. Chicherin had said that his views were those of both Russia and Turkey; then why did not Turkey say so? M. Chicherin was already present in a very representative capacity, on behalf of Russia, the Ukraine and Georgia. It now appeared that he was to represent Turkey also. Lord Curzon had for a long time looked forward to meeting M. Chicherin, whom he had hitherto only encountered on paper, and he was particularly gratified to meet him in this four-fold shape. He hoped that the conference would hear later on whether M. Chicherin's views were, in fact, those of the Turkish delegation.

M. Chicherin had alluded to the international forces now in or near the Straits, and had expressed the hope that those forces would not be a permanent factor in the situation. Lord Curzon shared that hope, but nevertheless these forces were now there and they constituted a factor which must not be forgotten.

M. Duca, on behalf of Roumania, had put forward a very clear and precise scheme, which provided that the Straits should be free at all times both for commercial and for war vessels; that both coasts should be demilitarised like the proposed zones in Thrace, in a form to be determined; that a commission should be formed to supervise this demilitarisation; and that some measures (not yet defined) should be taken with a view to the disarmament of the Black Sea.

The Bulgarian delegation had suggested a third alternative, namely, that commercial vessels only should enjoy freedom of navigation both in peace and in war, and had added that Bulgaria wished to be represented on any organisation which might be set up for watching over the Straits.

There were therefore three schemes, differing on various essential points. Were the Turkish delegation going to adopt any one of these three, or to put forward a fourth of their own? The matter was of vital interest to them, and they had been writing and reflecting on the question for many weeks. He hoped it would be convenient to the Turks to state both their opinion on the proposals already made, and their own view of the whole problem, preferably in the afternoon, as he was reluctant to waste any time, or at least on the following morning.

ISMET PASHA said that he had taken note of the views expressed and the proposals made by the Russo-Ukrainian-Georgian, Roumanian, Bulgarian and Greek delegations in succession. He was not aware that there was any question of an outlet for Bulgaria by the Maritza, since he had thought that the question concerned Dedeagatch. In general, M. Stamboliisky's remarks in regard to the Straits did not appear to him to be in contradiction with the principles stated by the Turkish delegation, whereas the restrictions advocated by M. Duca seemed likely to entail consequences which would be injurious to the vital interests of Turkey. Only one statement—that of M. Chicherin—corresponded with the general point of view of the Turkish delegation as regards the opening of the Straits to international communications, while it took into account the necessity of assuring the safety of Constantinople and of the basin of the Sea of Marmora.

M. STAMBOLIISKY said that the words "mouth of the Maritza," which he had used, were merely a geographical indication; what he had in mind was Dedeagatch, since it was technically impossible to utilise the Maritza for shipping.

LORD CURZON felt that he must be allowed to put one or two questions regarding the latter part of Ismet Pasha's statement. He had previously asked whether the Turkish delegation agreed with any of the proposals put forward, particularly with those of M. Chicherin; and also whether Ismet Pasha would be able to state the Turkish case that afternoon or later. Ismet Pasha's reply was that the Russian delegation had put forward very definite proposals, which corresponded to the Turkish view in so far as they secured the safety of Turkish territory and the opening of the Straits to commerce; but he had so far failed to give any indication of the solution advocated by his own Government. Lord Curzon must therefore ask him whether he accepted the Russian case as the case of the Turkish

Government, or whether the commission was to have the pleasure of hearing a separate statement of the Turkish case later. On hearing Ismet Pasha's reply, he would be able to advise the conference in regard to the course to be pursued.

ISMET PASHA pointed out that as the Straits were situated between territories under the full sovereignty of Turkey, the rights of possession of the State which owned the neighbouring territory were of fundamental importance in any discussion on the subject; he need not insist on the point. The foreign nations who wished to have the advantage of these waterways asked Turkey for certain facilities or guarantees. Turkey, as the territorial Power concerned, required to be able to examine the demands which might be made in full exercise of her rights of sovereignty; and he saw no need for going into detailed explanations before these proposals were known. He repeated that among the various proposals submitted to the conference those of the Russo-Ukraine-Georgian delegation seemed to him to correspond with the point of view of the Turkish delegation. He was obliged to examine all proposals which might be made in close connection with the sovereign rights and the absolute independence of Turkey. He therefore reserved the right to develop his views later on.

LORD CURZON said that he understood Ismet Pasha's reply to be a refusal on the part of the Turkish delegation to put their own views before the conference at the present stage; the only information which he would vouchsafe was that the Russian proposal corresponded more closely to the Turkish view than any other yet put forward, and that he awaited the views of the other Powers represented. He must be allowed to say that this reply really amounted to trifling with the conference. The delegates had all met and passed days in a serious effort to grapple with the various problems confronting them. When they approached the most difficult of all, the Turkish delegation were unable or unwilling to put forward their views beyond saying that the proposal made by the Russian delegation was more acceptable to them than the other suggestions made. This was not treating the conference with the confidence and respect to which it was entitled. When the attitude of the Turkish delegation became known, it would produce a most unfavourable impression throughout the world. His colleagues agreed with him that the discussion could not proceed, and that they must adjourn in order to consider the situation and decide what measures to take. The various sub-commissions would continue their work during the afternoon, and later on he would make an announcement regarding the resumption of the present commission's labours.

M. CHICHERIN wished to state that the Russian delegation desired to hear the views of Great Britain, France, and Italy at the present stage of the discussion. Lord Curzon had asked the Balkan Governments to state their views, but unfortunately he had not expressed his own, nor had he asked Italy or France to express theirs. M. Chicherin was therefore obliged to ask two questions: Did the Powers disinterest themselves from the Straits question? Or did they, on the other hand, wish to place themselves above the other

Powers represented at the conference and to play the rôle of arbitrators in the matter? The Soviet delegation wished to state that they formally repudiated the second of these alternatives and would not agree to discuss the question of the Straits save on a footing of complete equality with all the Powers. In any case, it was disagreeable for him to be asked to give his views and to be unable to learn the views of the British, French and Italian Governments.

LORD CURZON said that M. Chicherin was under a complete misapprehension, and could not have listened very attentively to what he had said. All the delegates were assembled to hear in the first place the opinions of the littoral States, and it would have been discourteous for his colleagues and himself to speak before all these opinions had been heard. He had spent the best part of an hour in trying to elicit the views of the Turkish delegation, and he had already said that the French, Italian and British delegates would have to meet and discuss the terms of their eventual reply. Also no one knew better than M. Chicherin that it would be disrespectful both to him and to the other representatives of the littoral States if a reply were returned without taking the necessary time for a careful examination of the views expressed by them.

(*The commission rose at* 1·10 P.M.)

No. 13.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Tenth Meeting (Second Meeting of the Straits Commission), December 6, 1922, *at* 11 A.M., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Spalaikovitch.
M. Rakitch.

Turkey.

Ismet Pasha.
Riza Nour Bey.

Bulgaria.

M. Stamboliisky.
M. Stanciof.
M. Theodorof.

Russia, Ukraine and Georgia.

M. Chicherin.
M. Rakovski.
M. Mdivani.
M. Vorovski.

Also present :

British Empire.

Sir W. Tyrrell.
Mr. Lindley.
Admiral Sir R. Keyes.
Major-Gen. Burnett-Stuart.
Captain Pound, R.N.
Mr. Malkin.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

France.

Admiral Lacaze.
General Weygand.
M. Fromageot.
M. de Lacroix.
M. Bargeton.
M. Laporte.
M. de Percin.
M. Barois.

Italy.

M. Arlotta.
M. Guariglia.
Admiral Chelotti.
Colonel Vitale.
M. Ciamarra.
M. Galli.

United States of America.

Mr. Amory.
Mr. Dwight.
Mr. Heck.

Japan.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Commandant Tsuru.
Mr. Tani.

Greece.

General Mazarakis.
M. Dendramis.
M. Politis.

Roumania.

M. Contzesco.
Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Antitch.
M. Ilitch.

Turkey.

Munir Bey.
Lieut.-Col. Tevfik Bey.
Captain Shevket Bey.

Bulgaria.

Mgr. Stephan.
M. Mouravieff.
M. Morphoff.
Colonel Noikoff.
M. Grozkoff.

Russia, Ukraine and Georgia.

M. Berens.
M. Chapochnikof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.
Mr. Ronald.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Rechid Safvet Bey.

Bulgaria.

Mlle. Stancioff.
M. Altinoff.

Russia, Ukraine and Georgia.

M. Sabanine.
M. Pastoukhof.
M. Ahrens.
Mme. Zaretzkaia.

Interpreter: M. Camerlynck.

Lord Curzon spoke as follows:—

"At the last meeting of this commission we listened to statements made by Russia, Roumania and Bulgaria, followed by a briefer declaration on the part of Turkey.

"I refrained at the time from answering these statements, and promised that after full deliberation a considered reply would be returned on behalf of the Allied Powers. I further undertook to give a general idea of the proposals of the inviting Powers. I will now fulfil both these undertakings, and I will commence by referring to the statement of the Russian delegation.

"M. Chicherin explained at the beginning of his speech that the object of the Russian Government and its allies in the Near East and throughout their foreign policy is to contribute to the establishment and consolidation of the peace of the world. That is a very admirable sentiment. Nor have I any objection to offer to the two fundamental ideas which M. Chicherin went on to declare the intention of his delegation to realise, namely, (1) the equality of the position and rights of Russia and her allies with the position and rights of other Powers, and (2) the assurances of the peace and security of the territories of Russia and the allied republics, as well as the freedom of their economic relations with other countries.

"M. Chicherin proceeded to contend that in the view of the Soviet delegation these important objects can only be attained by the adoption of two principles. The first of these principles is the permanent freedom of commercial navigation through the Straits; the second is the closing of the Straits to men-of-war of all nations, with the exception of those of Turkey. He informed us that this absolute freedom of navigation can only be safeguarded by allowing Turkey to possess a fleet of warships and 'to apply for the defence of the Straits and the Sea of Marmora all the technical machinery of modern warfare.' In order to defend this paradox M. Chicherin had recourse to history and informed us that the methods which he advocated had always been recognised in the past by the States represented at this conference. Although, however, it is true that the policy now advocated by M. Chicherin is one which the Western Powers consistently followed during the 19th century, it is also one which Russia herself has with equal consistency opposed. The respective policies of Europe and Russia have now been reversed. For whereas the Western Powers have now no longer any intention or desire to impede the free passage of Russian warships through the Straits, it is the Russians themselves who now wish to render such passage impossible.

"The point is historical only and, as such, academic; but as M. Chicherin has appealed to history, it is only logical to point out that the historical argument is not one which will furnish much support to his present contention.

"I have already observed that M. Chicherin put in the forefront of his argument as a fundamental principle, the equality of the position and rights of Russia and her allies with the position and rights of other Powers. But as he proceeded, he appeared to forget all about the other Powers, though their representatives were seated at the table and addressed this conference immediately afterwards.

"It is true that in the past, Russia and Turkey were the only Powers littoral to the Black Sea, but since then there have emerged other States whose interests, on the basis of equality as M. Chicherin himself laid down, are at least equal to those of Russia. I speak of Roumania and Bulgaria. They had no place in his exposition. But a little later, when we listened to their representatives, we discovered that neither of these countries considers that Russia has any right to speak in the name of all the littoral Powers, and that their ideas as to maintaining the peace of the world and the security of their possessions in the Black Sea differed materially from those of M. Chicherin.

"So much for the general principles which were expounded by the Russian delegation.

"I will now proceed to subject to a rather closer examination the proposals themselves, which assume a larger importance than they would otherwise have possessed from the fact that Ismet Pasha told us that they were in general correspondence with the ideas of the Turkish delegation.

"Let us see to what extent they would fulfil in practice the essential objects which M. Chicherin set out to achieve and which I have already defined in his own terms. I am afraid that in many respects they would have a very opposite effect.

"The conference will have recognised that the proposals of the Russian delegation amount in fact to the maintenance of the situation existing in the Straits and the Black Sea before the war, with the important exception that Turkey is to be deprived of the right which she obtained in 1871 of opening the Straits in time of peace to the vessels of war of friendly and allied Powers. The peace of the world, the equality of position and rights of Russia and other Powers and the security and commercial freedom of Russia and her allies are to depend firstly upon the unrestricted and sole guardianship by Turkey of the Straits, and secondly upon the almost equally unrestricted control of the Black Sea by Russia since she is without doubt, by the extent of her coast-line and the wealth of her resources and man-power, potentially the strongest naval Power in the Black Sea.

"Now I ask the Powers represented at this conference—both the other littoral Powers of the Black Sea, such as Roumania and Bulgaria, and the Powers, who before the war possessed and to-day possess the bulk of the commercial tonnage trading through these waters, France, Italy, Great Britain, Greece and the United States of America, and also Russia and Turkey—whether these proposals can possibly be regarded as a permanent and satisfactory solution of this problem. What they attempt to do is not to create a stable and durable system, fair alike to all the Powers and all the interests concerned, but to convert the accidental and probably ephemeral grouping of Powers, which has emerged from the recent war, into a permanent control of these areas—whether for purposes of aggression or defence. This is a solution which is not only eminently unjust, but could not hope to endure.

"The history of these regions abounds in examples of the manner in which Russian control of the Black Sea and Turkish guardianship of the Straits has been administered. As regards the former, Turkey will recall the arrival of the Russian fleet at Constantinople in the days of Mehemet Ali and the Treaty of Unkiar-Skelessi. As regards the latter, I need only refer to the disabilities to which neutral trade was exposed during the war between Italy and Turkey in 1911; to the serious obstructions imposed by Turkey upon neutral commerce during the Balkan wars which followed; and to the far-reaching effect of the similar action taken by Turkey in 1914 upon the fortunes of Russia, Roumania and the Allies. After the experience of the past decade, I think that few Powers here will be prepared to return, as a permanent solution of this question, to the situation existing before the war.

"But there are certain more specific criticisms which might be made upon M. Chicherin's formula. In the first place, apart from the fact that it ignores the principle of international law that the passage between the two seas should be regarded as an international highway, it would, if adopted by this conference, give to Russia a position of exceptional and indefensible advantage within the Black Sea. In other words, although Russian and Turkish warships have the right under international law to free passage through the Suez, Panamá and Kiel canals and through all the other straits of the world, M. Chicherin proposes to deny these rights to other nations in regard to the passage between the Mediterranean and the Black Sea. In the second place, he contended that the opening of the Straits to warships would be to the advantage of the strongest naval Power. But he omitted to mention that the closing of the Black Sea would place the other littoral countries at the mercy of the littoral Power possessing the strongest land forces, in other words, Russia herself.

"Even on the commercial side it may be observed that under M. Chicherin's formula, whereas Russia would be able to protect by means of her Baltic fleet Russian commerce in waters outside the Black Sea, the non-littoral Powers would be precluded from protecting their commerce within that sea. Of the shipping entering the Black Sea only 20 per cent. bears the flag of littoral States, whereas the remaining 80 per cent. belongs to outside Powers. M. Chicherin's loudly expressed love for equality is consistent with a willingness to deny to those Powers all right of protection.

"In fact, the more closely we examine the Russian programme, the more clearly does it emerge that it has only one object in view, viz., to convert the Black Sea into a Russian lake with Turkey as the faithful guardian at the gates. Roumania proposed demilitarisation. Not so the Russian delegation. Within the waters of the Black Sea Russia is to reign supreme. She may fortify the coasts. She may create a powerful navy, powerful enough, at any rate, to overawe her neighbours. She may transport her troops from coast to coast. Free from attack elsewhere, except in her ice-bound ports, she may meditate and execute what plans she pleases in the Black Sea area and in the Caucasus. No one else is to have access to this privileged zone. It is to be shut off from the world. M. Chicherin told us that he was very much disturbed at the preponderance of the forces of any Power at the mouth of the Dardanelles. That was perhaps because they happened at the moment to be British. But he does not object to a similar preponderance in the safe seclusion of the Black Sea—provided only that it be Russian. Such is the very remarkable contribution that was made two days ago by the Russian delegation to the doctrine of the equal rights of nations and the peace and contentment of mankind.

"I will now proceed to explain in general terms the proposals of the Allies. They fall under two heads: (1) regulations for the passage of vessels, whether of peace or war, through the Straits; (2) the creation of demilitarised zones on the shores of the Straits. The full text of these two schemes will be laid before the conference at the close of my remarks.

"In framing these proposals, it has been the object of the Allies to seek no special advantage for themselves, but to bear in mind the permanent factors in this problem, without the consideration of which no lasting solution is possible. These factors may be thus described:—

"1. The primary interest in these waters, from the point of view both of economic life and security against attack, of the littoral States of the Black Sea, both great and small, and the necessity of giving equal consideration to the interests of all those States.

"2. The character of the Dardanelles, the Sea of Marmora and the Bosphorus, as an international highway for the commerce of the world between two international seas, and the necessity, therefore, of treating it, as far as possible, in the same manner as other international waterways, whether rivers, straits or canals, with a view to assure the freedom of peaceful commerce.

"3. The existence of the capital of Turkey and the seat of the Caliphate on the shores of this waterway.

"Taking into account all these factors, my colleagues and I propose the following general rules for the navigation of the Straits. For the sake of clearness I will deal separately with ships of commerce and ships of war:—

"1. *As regards ships of commerce,* there will be complete freedom of navigation whatever the flag and the cargo, without any formalities, taxes or charges whatsoever, in time of peace and in time of war, when Turkey is neutral. In time of war, when Turkey is belligerent, there shall be complete freedom of navigation for neutral vessels, provided no assistance is given to the enemies of Turkey whether by the carriage of contraband, troops, or enemy civilian passengers. The means taken by Turkey to prevent enemy ships from using the Straits shall not be of such a nature as to interfere with the free passage of neutral vessels.

"2. *As regards ships of war,* in time of peace there shall be complete freedom of passage for all flags, without any formality, tax or charge whatever, subject to a limitation on the number and duration of stay of the warships of any one Power in a Turkish port. The signatory Powers shall maintain the same right as before the war to keep *stationnaires* in the waters of the Straits and the Sea of Marmora, and under the same conditions.

"In time of war, when Turkey is neutral, there shall be complete freedom of passage for warships as in time of peace.

"In time of war, when Turkey is a belligerent, there shall be freedom of passage for neutral warships only.

"It will have been observed that there is one popular misapprehension which these proposals entirely remove. It has often been stated that the desire of the Western Powers is to impose upon Turkey some such solution as would leave the capital of the Turkish State at the mercy of a hostile fleet. The Turkish delegation and the entire conference will now have seen that such is not the case. We feel that Turkey has every right to demand that when she is at war no belligerent warship may pass the Dardanelles and proceed into the Sea of Marmora. On this point the Allied Powers are agreed, and our proposals contain this very important reservation. Further, the conference will also have recognised that under our scheme, when Turkey is at war, the freedom of passage for commercial vessels will also be restricted, and that in such an event Turkey will retain the right of visit and search within her waters in order to prevent the transport either of troops or of contraband. Finally, in the event of a war in which Turkey herself is neutral, the Allied Powers agree to the imposition upon belligerent warships of the conditions and restrictions defined in the Thirteenth Hague Convention of 1907 regarding maritime neutrality.

"I now proceed to the second heading of our proposals regarding demilitarisation. In order to ensure the due carrying out of the above rules, the Allies propose (1) that certain zones to be fixed on the European and Asiatic shores of the Dardanelles and Bosphorus shall be effectively demilitarised; (2) that an international commission shall be set up with the necessary technical services both to provide for the buoying, lighting and quarantine defence of the waters of the Dardanelles, Bosphorus and Sea of Marmora, and to supervise and inspect the demilitarisation of the land zones. This commission would be composed of one member each appointed by the Governments of the littoral States of the Black Sea and those Powers who are especially interested in Mediterranean commerce, viz., France, Great Britain, Japan, Italy, Russia, the United States, Turkey, Greece, Roumania, Jugoslavia and Bulgaria. The Turkish member should be the permanent president. The exact procedure by which this commission should be constituted and the auspices under which it should work, whether the League of Nations or otherwise, remain for consideration.

"As regards the manner in which the proposed demilitarisation should be carried out, the extent and area of the zones, and the forces that might be required for the defence of Constantinople, these points will be found specified in the second paper which it is proposed to circulate at the close of this sitting.

"There remains a third branch of the subject which I have not so far touched. When we were discussing some days ago the demilitarisation of certain zones on the frontiers of Eastern Thrace, the Turkish delegation enquired whether any, and if so what form of guarantee, in the shape of neutralisation or otherwise, could be provided for the security of those regions from attack.

"Perhaps the same question may be put with regard to the demilitarised zones on the Straits which we have now proposed to create. This is a question which we are quite ready to examine with the Turkish jurists, and it is a task which can be taken in hand without further delay.

"I have now completed my summary of the various proposals which my colleagues and I have agreed to submit, not as a mere tentative sketch, but as the result of anxious thought and prolonged deliberation with expert authority. I hope that they may be found to provide a settlement of one of the most vexed and complicated problems of international policy—a problem of which, if this conference were able to arrive at a settlement, we should be held to have justified our labours, however protracted, and to have merited the thanks of the world."

M. Barrère read the following statement:—

"The conference has listened to a clear and full analysis of the proposals concerning the régime of the Straits which are presented by Lord Curzon conjointly with his allies.

"The conference will doubtless not consider it superfluous that the representative of France should explain the spirit in which the Allies have formulated these proposals and also the principles and ideas by which they are guided.

"Freedom of navigation is an essential condition of the development of relations between States and for the maintenance of peace which is the natural consequence of that development. All the efforts of civilised peoples are directed towards ensuring the application of this principle, and the conscience of mankind has in a sense symbolised that principle by what is called the freedom of the Straits.

"Does this mean that that freedom can be absolute? It must be limited by the necessity of preventing the application of that freedom from impeding the attainment of the desired object.

"The fact that one or two nations own the shores of the sole sea channel connecting two seas cannot confer on that nation or nations the right of forbidding passage through that channel. Conversely, this right of passage must be regulated in such manner that it cannot in itself become a danger for the peace nor constitute a menace for the independence or security of certain States, and in particular of those which own the shores of the Strait in question.

"In the past the efforts made to establish a régime for shipping in the Straits with which we are concerned were inspired by political or military considerations, which arose rather out of the circumstances of the moment than from a concern for permanent interests. The purpose then was to open or close the passage in the interest of certain Powers.

"I may add that France, who is so profoundly attached to the principle of liberty, desires that the various nations may be assured the right to safeguard their legitimate interests without any menace against anyone. Her purpose is to harmonise this right with the interests of all the littoral States of the Black Sea, and especially with the interests of that littoral State, which also happens to possess the sovereignty over both shores of the Straits.

"The proposals which have been presented to you on behalf of the Allies by my eminent colleague, Lord Curzon, are in complete harmony with these views. They provide for complete liberty of commercial navigation, the protection of which they guarantee by conferring the right of passage to such extent as is necessary on warships which are destined to assure that protection in case of need. Our proposals make provision for the restrictions necessary to protect Turkey as a littoral of the Straits from any abuse of this right of passage. The interests of the littoral Powers of the Black Sea are safeguarded by limitations on the exercise of the right of passage. Under these conditions this right cannot constitute for any of the littoral Powers a menace or an injury to their sovereignty; on the contrary, it constitutes a valuable guarantee against any policy of domination which would threaten the security of certain littoral States of the Black Sea, and in particular of Turkey.

"I trust that the wisdom of the proposals made by the three Allied Governments will be appreciated by all Governments which sincerely desire the establishment of a truly liberal and peaceful régime. Any solution of the problem based on circumstances of the moment should be ruled out. A Power which to-day demands the closing of the Straits may perhaps to-morrow demand the opening of the Straits if political conditions should change. The French delegation therefore urge most strongly that other delegations—and the Turkish delegation in particular, who are so greatly interested in an equitable and lasting settlement of this question – should accept the proposals just made, for these proposals pay full heed to all the legitimate interests at stake, and therefore cannot fail to contribute to the re-establishment and consolidation of peace in the East and throughout the world."

MARQUIS GARRONI made the following speech :—

"Italy, like Great Britain and France, fervently desires that the problem of the Straits should be solved in such a way as to pay heed to the interests of all and to arrive at a decision which will remove all possibility of disputes in the future.

"I have no doubt that after our president's detailed statement of the terms in which the question is put, and with the goodwill of all parties interested in a question of such importance, we shall succeed in solving a problem which has so long preoccupied all mankind—a problem which mankind ardently desires to see settled, so that all pretext for future conflict may be eliminated.

"I hasten for my part to express the wish that our common work may be fruitful and that it may really achieve the purpose which is universally expected of us."

MR. CHILD spoke as follows :—

"I have listened with interest to the points of view of the various delegations on the subject of the Straits, and trust that a statement of the views of the American representatives will not be unwelcome.

"Our position is based upon that policy of our Government which stands for complete and constant freedom, without special privilege, for our commerce and for the commerce of other nations.

"The application of this policy to the question of the Straits is not difficult. We desire, for the good of our own interests, as well as for the good of all, including those peoples and nations which border on the Black Sea, that nothing shall be done which will take from any of them, Bulgaria or Russia, Ukraine or Turkey, Roumania or Georgia, the guarantee that they shall be accessible to the commerce of the world. Accessibility to that commerce is their right. It is equally the right of the commerce of the world to reach the peoples of this region.

"I do not understand that any delegation here would openly deny that right for times of peace. This is not sufficient. It is in keeping with the progress of world administration and enlightened international purposes that the commerce of neutral nations shall not be interrupted during a state of war.

"The freedom of the Straits is a term too limited to cover the field of this discussion. This discussion involves the freedom of all those nations which border on the Black Sea, and of all those nations outside the Straits who desire to reach them on their friendly errands.

"We cannot accept the position stated by anyone who has spoken for the position of the nations on the Black Sea ; we have heard no one speak with the assent of all. We cannot accept the position that the future of commerce in the Black Sea is the exclusive affair of the States bordering upon it. We assert that it is the concern of all the nations of the earth. It is untenable that any one nation, by the virtue of geographical position, should hold the power of depriving every other nation of these rights. This would be not only against the interests of our national policy; it would be against the interests of every nation on the Black Sea; it would be against the whole historical development of the freedom of the Black Sea. The unlimited control of the Straits and the Black Sea by any one nation is against the policy of the world.

"I do not understand that any nation here will deny these fundamental principles of the freedom of the Black Sea. I do not understand that Turkey denies them. I do not even understand that any nation having an eye for extension of territory or seeking to control the policies of Turkey will be heard here to deny them. I assume that these fundamental principles will be established by this conference and, if possible, will be guaranteed by this conference. No other result would satisfy the views of my Government. Without presuming to speak specifically for others, I assume that no other result would satisfy either the nations inside or outside the Straits.

"It is our view that the freedom of the Black Sea is to be gained only by disarmament. More than this, it is our belief that even armament designed to keep the Straits open is in fact a danger to the freedom of the Black Sea.

"If any nation or group of nations representing the interests of all nations accepts the trusteeship of the freedom of the Black Sea, this trusteeship may be carried out, we believe, with greater guarantee of good faith and constancy if reliance is placed upon agreements rather than upon force.

"It is impossible for me to overlook the proposal made by one delegation here that by such agreements all warships should be excluded from the Black Sea. I would find it equally reasonable to exclude warships from every international body of water. No nation has gone farther than the United States in policies of naval disarmament, but no nation would be more ready to uphold the good sense of maintaining sufficient naval force to act as police of the free seas, to protect its citizens and their ships wherever they might be, to suppress piracy and other menaces, and to act at times for the public good and to give relief to suffering, just as ships of war have recently acted in the Near East. Ships of war are not necessarily agents of destruction; on the contrary, they may be agents of preservation and serve good and peaceful ends in the prevention of disorder and the maintenance of peace. We, I believe in common with every commercial nation, wish access to every free body of water in the world, and we will not be satisfied if our ships of war may not pursue their peaceful errands wherever our citizens and ships may go."

M. SPALAIKOVITCH spoke as follows:—

"Now that this conference is preparing to determine the future régime of the Straits from the international point of view, I beg leave to lay before you briefly the factors which confer on my country the right and the duty to take an interest in the settlement of this question and to participate therein.

"When speaking of Roumania the other day, M. Duca stated in eloquent terms the paramount importance of the Straits question as regards the economic and commercial development of the countries in the Danube Basin. Foreign trade and its organisation are indeed intimately connected with means of communication; and I therefore wish for my part to emphasise the point that in this respect the Danube, with its principal affluent the Save, constitutes the natural highway for traffic towards the Black Sea for a large portion of those regions in respect of which the Serb-Croat-Slovene State has succeeded the old Danubian monarchy—especially as regards the export of the produce of Western Bosnia, the Srem, the Batchka and the Banat. I may also observe in this connection that the Danube flows through my country for more than 700 kilom. of its course, from the Hungarian to the Bulgarian frontier.

"It is therefore clear that we, who are riparians of the Danube and heirs of the former Austro-Hungarian Monarchy, must not be deprived of the means of reaching the Straits and utilising them for the export of our products viâ the Mediterranean to northern countries, such as England, Belgium and Holland.

"The recent international conference on Danubian navigation definitely settled the conditions for navigation and transport on this international river by instituting a régime in accordance with the common interest of all nations.

"But this work will only be complete when a definite régime has also been devised and put in force for the navigation and passage of ships through the Bosphorus, the Dardanelles and the Sea of Marmora, which lies between the two Straits.

"Since our country is now interested in this question in the same way as Austria-Hungary used to be interested in all previous phases of the Straits problem, we are ready to take part in the work before the conference, taking economic considerations and the principles of international law as our guide.

"Lord Curzon, in his eminently clear and precise statement, has just outlined certain principles which may be summed up in the following formula: on the one hand, complete freedom of navigation and of passage for merchant vessels, without any formality or restriction; and on the other hand, such guarantees as are indispensable for ensuring this freedom, coupled with respect for the security and sovereign rights of the interested States.

"It may appear difficult to reconcile these two ideas—that of guarantees and that of sovereignty; but the solution suggested by the Allies shows that they are animated with the desire to make peace and re-establish order in that part of the world.

"Without trespassing on the province of the experts, and with the sole purpose of demonstrating our impartiality, I venture to express the sincere hope that Turkey for her part will consent to guarantees of a nature to safeguard the general interest, especially as the Powers for their part are only seeking to secure these guarantees by means compatible with Turkey's sovereign rights.

"Thus, for instance, the presence of foreign troops in Turkish territory must be eliminated in future. It seems to me that on this basis, which will give Turkey full satisfaction on the most essential point as regards her sovereignty, it should not be difficult to reach an agreement."

Ismet Pasha said that in order to express a considered opinion on the proposals made by Lord Curzon in the name of the inviting Powers he required first to study those proposals in detail; he would therefore give his reply later.

M. Chicherin made the following speech:—

" While reserving our detailed reply until later, we wish to make some general observations to-day. The chairman is quite right in saying that the rôles of Russia and of the Western Powers are reversed. Formerly we had a Tsarist Russia which cherished aggressive designs and was a constant menace to Turkey and to peace. Now we have a Soviet Russia which has renounced all imperialist ambitions and is inspired with sentiments of friendship and brotherhood towards the peoples of the East. In former days people used to talk of 'Russian advance in Asia,' if I may be allowed to name a celebrated book; is it not perhaps now a case of 'British advance in Europe?' The best traditions of British conservatism were to establish a partition wall between the Russian and British spheres of influence, and this is what we now propose to do—laying the foundations of this wall on the freedom and sovereignty of the Turkish people. Now that Russia has abandoned her designs on Constantinople and the Straits, two schemes are possible: one is the exclusion of warships from the Straits and the sovereignty of Turkey, *i.e.*, the partition wall; the other is an international deal which will transport the conflicts and rivalries of the whole world into this region.

"Every treaty is merely an expression of forces operative in the realm of fact. The conflicts which distract the world will unfortunately continue to exist, and an international deal over the Straits will provide the scene of action for these conflicts. The only durable basis for a state of peace in the Near East is the liberty and sovereignty of Turkey. What we advocate is not an ephemeral device, but the maintenance of the rights of the Turkish people, which has victoriously asserted its existence.

"The case of Bulgaria is invoked, and it is apparently forgotten that Bulgaria has been deprived of all her means of defence on land and sea by a treaty to which Russia was not a party—a treaty which she will never recognise.

"As for Roumania, has she been Russia's neighbour since yesterday only? She never protested against the régime of the closing of the Straits. Those who wish to establish such a régime as will perpetuate trouble invoke the security of Roumania; but that is an illusory argument, for our relations with Roumania are governed by what happens on land. Russia has no aggressive intention against Roumania; but if she had, Roumania would prepare to defend herself by means of arrangements on land which are well known to us.

"An international deal means the perpetuation of disturbance instead of peace; it means constant violation of the security and sovereignty of Turkey; it means the necessity for Russia to arm,

arm, arm. It also means the complete collapse of the Washington Naval Disarmament Treaty. Russia welcomes the idea of the Washington Conference to which, unfortunately, she was not invited. We shall be happy to participate in any general agreement for naval disarmament, but the opening of the Straits would render general naval disarmament impossible.

"Appeal has been made to the Treaty of 1871 whereby Turkey was enabled to let Allied fleets enter the Straits for her defence. In the Treaty of 1841 that clause did not exist, but, nevertheless, during the Crimean War Turkey invited Allied fleets to her assistance. If all the parties to a treaty go to war, the treaty between them ceases to exist. We are ready to examine proposals defining what would happen in wartime if the principle of closing the Straits to warships is accepted.

"Mention has been made of the obstacles put in the way of commercial traffic during the war between Italy and Turkey, but there is silence as regards the hindrances imposed on our commerce during the Allied occupation of the Straits.

"Formulas of international law are cited; but those formulas do not date from yesterday. Why then has the principle of closing the Straits been considered up to now as in conformity with these precepts?

"Nothing but a partition wall can separate rivals effectively and give a guarantee for peace and for the independent existence of Turkey. While listening to the Chairman I had the impression that the fundamental idea of his speech was to create a system aimed against Russia. We propose peace to you, and you perpetuate the struggle against us. Russia is at the beginning of a new era, and we wish to start this era by creating stable conditions of peace around us whereas you wish to put us in a situation which will force us into war. The Russian revolution has transformed the Russian people into a nation whose entire energy is concentrated in its Government to a degree hitherto unknown in history; and if war is forced upon that nation it will not capitulate. You are uneasy because our horsemen have reappeared on the heights of the Pamirs, and because you no longer have to deal with the half-witted Tsar who ceded the ridge of the Hindu Kush to you in 1895. But it is not war that we offer you, it is peace, based on the principle of a partition wall between us and on the principle of the freedom and sovereignty of Turkey."

Lord Curzon thought that the Turkish delegation were quite right in postponing their remarks until they had seen the detailed proposals in the papers to be distributed at the end of the meeting. He regretted that M. Chicherin, to whose very eloquent words he had listened with great interest, had not maintained a similar reserve; for he believed that certain of M. Chicherin's fears would be removed when he saw the documents, while his references to Roumania would no doubt be dealt with by M. Duca. M. Chicherin was entirely mistaken in thinking that his (Lord Curzon's) remarks had been directed against Russia. He had meant to convey that in his opinion the Russian proposals would place Russia in a position of supremacy in the Black Sea, with Turkey following obediently behind her. He was delighted to hear of the friendly and innocent intentions now expressed by the Russian Government, in view of which M. Chicherin would doubtless now tear up most of the proposals made by him two days ago.

The experts of the Allied delegations, who had drafted the proposals, were ready to meet the experts of other delegations at 4 o'clock that afternoon and answer any questions on technical points in the documents.

M. Chicherin requested that the commission should meet again, since it was necessary that both the Turkish and the Russian delegations should state their views on the Allied proposals.

Lord Curzon said that M. Chicherin had misinterpreted his suggestion. He had only given a general summary of the Allied proposals. The Russian delegation were justified in asking for a further meeting of the commission, when they would have an opportunity to express their views both on his (Lord Curzon's) speech and on the documents about to be distributed; but before resuming the discussion in the commission, a detailed perusal of these documents was obviously necessary. He was quite ready to resume the meeting and hear the reasoned views of all delegates on the following morning, and had proposed for the sake of convenience only that the Allied military and naval experts should in the meantime give the other experts such explanations as the latter might require after reading the documents.

M. Chicherin asked that the discussion might be postponed until the 8th December so as to give his delegation time to examine the documents and prepare their answer.

Lord Curzon said it was most desirable to expedite the work of the commission, and suggested that the next meeting should be held on the afternoon of the 7th December. He asked when the Turkish delegation would be ready with their reply.

Ismet Pasha replied that their answer would not be ready until the 8th December.

Lord Curzon agreed to the next meeting being held on the 8th December at 10·30 a.m.

(*The commission rose at* 1·20 p.m.)

ANNEX (A) to No. 13.

Document communicated to the Territorial and Military Commission on December 6, 1922, by the British, French and Italian Delegations.

FREEDOM OF THE STRAITS.*

Rules for the Passage of Vessels through the Dardanelles, Sea of Marmora and Bosphorus.

ARTICLE 1.—*Merchant Vessels, including Hospital Ships, Yachts and Fishing Vessels and Commercial Aircraft.*

(a.) *In Time of Peace.*

Complete freedom of navigation and passage by day and by night under any flag and with any kind of cargo, without any formalities, tax or charge whatever.

(b.) *In Time of War, Turkey being Neutral.*

Complete freedom of navigation and passage by day and by night under the same conditions as above. Turkey agrees not to regard any obligations of neutrality as overriding such freedom.

(c.) *In Time of War, Turkey being a Belligerent.*

Freedom of navigation for neutral vessels and neutral commercial aircraft, if the vessel or aircraft in question is not rendering assistance to the enemy by carrying contraband, troops or enemy nationals. Turkey will have the right to search such vessel or aircraft, and for this purpose aircraft are to land in such areas as are specified by Turkey. The means taken by Turkey to prevent enemy ships using the Straits are not to be of such a nature as to prevent the free passage of neutral ships.

Turkey agrees to provide ships with either the necessary instructions or pilots for the above purpose.

ARTICLE 2.—*War Vessels*† *and Military Aircraft.*‡

(a.) *In Time of Peace.*

Complete freedom of passage by day or by night under any flag, without any formalities or tax or charges whatever, but with the undermentioned reservation as to the total force:—

1. The total force which any one Power may send through the Straits (and maintain in the Black Sea) is not to be greater than that of the most powerful of the littoral Powers of the Black Sea existing in that sea at the time of passage.
2. In the event of the littoral Powers of the Black Sea agreeing amongst themselves to a total demilitarisation of naval forces, the Powers individually reserve the right to send through the Straits (and maintain in the Black Sea) a force

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* The term "Straits" for this purpose to include the Dardanelles, Marmora and Bosphorus.

† The term "war vessels" for this purpose to include fleet auxiliaries, troop transports and aircraft carriers.

‡ The term "military aircraft" for this purpose to include the State aircraft attached to the navy, army or air force (flying service) of a nation.

of three ships, not more than one of which may be a vessel exceeding 10,000 tons.

(b.) *In Time of War, Turkey being a Neutral.*

Complete freedom of passage by day or by night under any flag, without any formalities or tax or charges whatever, under the same limitations as in article 2 (*a*), provided, however, that these limitations will not be applicable to any belligerent Power to the prejudice of its belligerent rights in the Black Sea.

Warships and military aircraft of belligerents will be forbidden to make any capture, to carry out the right of search, or carry out any other hostile act within the zone of the Straits, and are forbidden to remain more than twenty-four hours beyond the time necessary to pass through the Straits, unless detained by *force majeure.*

As regards revictualling and carrying out repairs, they will be subject to the terms of the Thirteenth Hague Convention of 1907, dealing with maritime neutrality.

(c.) *In Time of War, Turkey being a Belligerent.*

Complete freedom of passage for neutral warships without any formalities or tax or charges whatever, but under the same limitations as in article 2 (*a*).

Neutral naval aircraft will make the passage of the Straits under the same limitations as in article 2 (*a*), but at their own risk, and will submit to investigation as to their character. For this purpose aircraft are to land in such areas as are specified and prepared by Turkey.

The means taken by Turkey to prevent enemy ships using the Straits are not to be of such a nature as to prevent the free passage of neutral ships.

Turkey agrees to provide ships with either the necessary instructions or pilots for the above purpose.

Note.—The passage of the Straits by submarines of Powers at peace with Turkey must be made on the surface.

ARTICLE 3.—*Stay in the Ports of the Straits and Black Sea.*

(*a.*) Articles 1 and 2 apply to the passage of ships and aircraft through and over the Straits, and do not affect the right of Turkey to make such regulations as she may consider necessary regarding the number of men-of-war and naval aircraft of any one Power which may visit Turkish ports at one time, and the duration of their stay.

(*b.*) Littoral Powers of the Black Sea will also have a similar right as regards their ports.

(*c.*) The signatory Powers, who before 1914 had the right of maintaining *stationnaire* ships in the zone of the Straits, shall continue to exercise that right under the former conditions.

(*d.*) The signatory Powers, who have the right of maintaining vessels on the Danube, shall continue to have this right and to replace these vessels by other vessels as necessary.

The vessels mentioned in article 3 (*c*) and (*d*) will be additional to those mentioned in article 2.

ANNEX (B) to No. 13.

Document communicated to the Territorial and Military Commission on December 6, 1922, by the British, French and Italian Delegations.

DEMILITARISATION OF THE ZONE OF THE STRAITS.

(The term "Straits" includes the Dardanelles, Sea of Marmora and the Bosphorus.)

ARTICLE 1.

There shall exist no permanent installation of a military or naval character capable of interfering with the free passage through the Straits.

ARTICLE 2.

Moreover, the zones and islands indicated hereafter shall be demilitarised.

1. Both shores of the passages of the Dardanelles and Bosphorus over the extent of the shores delimited below:—

Dardanelles—

On the north-west, the Gallipoli Peninsula and the area south-east of the line Kara Kaleh–Rodosto (the latter place excluded).

On the south-east, the area included between the coast and the line Eski Stambul Cape (opposite Tenedos)–Bigha–Karabigha.

Bosphorus—

On the east, the area up to the line Shile–Gebze–Darija.

On the west, the area up to the line Akbunar–Kutchuk-Chekmeje, with the reservation concerning the special régime for Constantinople (see article 4 below).

2. All the islands in the Sea of Marmora.

3. In the Ægean Sea, the Islands of Samothrace, Lemnos, Imbros and Tenedos.

ARTICLE 3.

The demilitarisation will comprise the following measures:—

Destruction of existing fortifications (except works of an artistic nature) as well as of installations of a military or naval nature; the construction of new ones is forbidden.

In the waters of the Straits and the territorial waters of the various zones and islands indicated above there shall be no submarine engines of war.

No armed force shall stay or move in the demilitarised zone except the police and gendarmerie forces necessary for the maintenance of internal order, whose strength shall be fixed in accordance with the average strength of the police and gendarmerie forces employed on the whole Turkish territory (with the reservation concerning the special dispositions applied to Constantinople).

ARTICLE 4.

In view of the special requirements of the capital, there may be maintained at Constantinople and its immediate neighbourhood a garrison whose strength shall be fixed by agreement between the inviting Powers and the Turkish Government (maximum, 10,000 men).

ARTICLE 5.

If in case of war Turkey, availing herself of the rights of a belligerent Power, should in any way modify this state of demilitarisation, she will be bound to re-establish the *status quo ante bellum* as soon as peace is concluded.

No. 14.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Eleventh Meeting (Third Meeting of the Straits Commission), December 8, 1922, *at* 10·30 A.M., *under the presidency of Lord Curzon.*

Present :

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Spalaikovitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

BULGARIA.

M. Stamboliisky.
M. Stanciof.

RUSSIA, UKRAINE AND GEORGIA.

M. Chicherin.
M. Rakovski.
M. Mdivani.
M. Vorovski.

Also present:

BRITISH EMPIRE.

Mr. Lindley.
Admiral Sir R. Keyes.
Major-Gen. Burnett-Stuart.
Captain Pound, R.N.
Mr. Malkin.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Major McCleod.
Mr. McClure.

FRANCE.

Admiral Lacaze.
General Weygand.
M. Fromageot.
M. de Lacroix.
M. Bargeton.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
M. Guariglia.
Admiral Chelotti.
Colonel Vitale.
M. Nogara.
M. Ciamarra.
M. Salem.

UNITED STATES OF AMERICA.

Mr. Amory.
Mr. Dwight.
Mr. Heck.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Commandant Tsuru.
Mr. Tani.

GREECE.

General Mazarakis.
M. Dendramis.
M. Politis.
M. Michalopoulos.

ROUMANIA.

M. Contzesco.
Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Antitch.
M. Ilitch.

TURKEY.

Munir Bey.
Moukhtar Bey.
Lieut.-Col. Tevfik Bey.

BULGARIA.

Mgr. Stephan.

RUSSIA, UKRAINE AND GEORGIA.

M. Berens.
M. Chapochnikof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.
Mr. Hotta.

GREECE.
M. Collas.

ROUMANIA.
M. Constantinesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Milanovitch.

TURKEY.
Rechid Safvet Bey.

BULGARIA.
Mlle. Stancioff.

RUSSIA, UKRAINE AND GEORGIA.
M. Sabanine.
M. Pastoukhof.
M. Ahrens.
Mme. Zaretzkaia.

Interpreter: Lieutenant-Colonel Heywood.

LORD CURZON said that at the last meeting most of the delegations had given their views on the subject of the Straits, and the Turkish and Russian delegations had very naturally asked to postpone their full replies until they had had time to examine in detail the documents containing the proposals of the Allied Powers. Since then the Allied military and naval experts had met the corresponding experts of other delegations in order to give them full explanations regarding the technical details of those proposals; should any further explanations now be wanted, Admiral Lacaze would be ready to give them. He would begin by asking the Turkish delegation to speak.

ISMET PASHA read the following statement:

"The Turkish delegation have listened attentively to the speeches made by the various delegations, and to the explanations of his Excellency Lord Curzon. They have also examined the scheme for the regulation of the Straits put forward in the name of the Allied Powers.

"As a result of this examination, the Turkish delegation have the honour to make the following remarks:—

"For five centuries the Turks have been masters of the Straits, which they have fortified and defended with all the forces at their disposal.

"The fact that the Turks have been guardians of the Straits has exercised a varying influence on the relations of the Black Sea and Mediterranean Powers when at war with each other.

"Thus, for instance, these varying influences led in 1833 to the Treaty of Hunkiar-Skelessi, which recognised certain rights to the advantage of Russia; this state of things did not bring about a war.

"Later, in 1856, Turkey was engaged together with her allies in fighting against Tsarist Russia, and accordingly allowed her allies' warships to pass through the Straits. Again, quite recently, in 1914, Turkey was placed between Russia and Russia's western allies, and closed and defended the Straits against both parties at once.

"It must be recognised that in all these instances the Turks did nothing contrary to the provisions of the international treaties concerning the régime of the Straits, and never confronted either their friends or their enemies with a situation which had not been foreseen by those treaties.

"It follows that if any complaints can be made in regard to the way in which the Straits were utilised or defended, these complaints can only be directed against the international Acts relating to the Straits, and cannot in any way be connected with the fact that the Straits happened to be defended by the Turks.

"The permanent disarmament of the Straits would influence events in different ways in various future wars, just as much as putting the Straits in a state of defence; each party might gain or lose by enforced disarmament according to the affinities and divergences existing between the Powers at the time.

"Consequently, the influence which the Straits are to exercise on international relations must depend, not on the fact of their being put in a state of defence or not, but on the treaties which lay down the régime to be applied to warships in the Straits.

"Moreover, the defence of the Straits covers the defence of the capital of Turkey, of the Sea of Marmora and of Eastern Thrace.

"The non-fortification of the Straits therefore amounts to leaving the most vulnerable and important districts of Turkey defenceless and at the mercy of a sudden attack.

"None of the Powers represented at the conference is deprived of the right to defend its capital. Turkey, on the other hand, would be constantly exposed to the danger of her capital being suddenly destroyed by a foreign fleet or occupied by foreign troops. The existence of this possibility would obviously expose the capital to the risk of all manner of calamities.

"There is another point which I wish to raise in the interests of general peace. The strategical importance of the Straits is so great that any Mediterranean or Black Sea Power which conquered them would secure an overwhelming advantage as soon as a war broke out. It is therefore only natural that as soon as a possibility of war exists between a Black Sea and a Mediterranean State, each side should try to obtain possession of the Straits as quickly as possible. The first result of this attempt would be to provoke a sudden war over a dispute which might have been settled without recourse to arms. The second result would be to bring about the participation of Turkey in that war, even though she were in no way interested in the dispute, by the mere fact of her having been attacked.

"These considerations show that the state of things created by demilitarising the Straits would render peace illusory between the Black Sea and Mediterranean States on the one hand and Turkey on the other. It is therefore essential that the Bosphorus, the Dardanelles and Constantinople should not be accessible through a surprise attack by land or sea. Moreover, our experience in the past shows that this security can only be attained by means of fortifications and defences.

"Once these districts are secured against surprise attack, any State which violated its international engagements would have no chance of gaining an immediate victory, and the Powers would be enabled to take such measures as the circumstances required.

"Turkey for her part would, of course, be bound to observe the line of conduct to which she had committed herself by agreement with the other Powers. It is hard to believe that a single State would dare to repudiate an engagement undertaken by it in face of the whole world.

"In any case, there is hardly any likelihood of such an event taking place. The Allied Powers' proposal recognises that Turkey may defend herself by all the means at her disposal, and so there is almost no reason to fear that Turkey might not fulfil her engagements. The Allied Powers can therefore regard such apprehensions as a completely negligible factor in the solution of the problem.

"The security of Turkish territory also requires that the warships which pass through the Straits should not be of such strength as to endanger the district lying between the Bosphorus and the Dardanelles.

"Turkey entirely agrees with the Powers represented at the conference in recognising that merchant vessels should have complete liberty of navigation and of passage night and day.

"An international commission, similar to that for the Danube, could settle questions relating to the navigation of merchant vessels.

"In war time, whether Turkey be neutral or belligerent, the right for merchant-men to pass could be adapted to the general interests at stake.

"In view of these considerations, the Turkish delegation have the honour to set forth as follows the bases of the régime which they wish to see applied to the Straits :—

"1. A guarantee securing the Straits, Constantinople and the Sea of Marmora against any surprise attack by land or sea.

"2. Limitation of the naval forces which may enter the Black Sea, so that they shall not constitute a danger for the districts between the two Straits and in the Black Sea. These forces could consist of light craft employed for the protection of international commerce.

"3. Freedom of passage both in war and peace for merchantmen; in case Turkey is a belligerent, she will be satisfied with such technical control as is indispensable.

"While reserving the right to make observations on all the articles of the Allied Powers' proposals, the Turkish delegation declare that the points enumerated below are particularly harmful to Turkey, even regarding the question from the point of view of the Allied Powers :—

"1. The term 'Straits' which is employed in the Allied proposal must not comprise the Sea of Marmora, since defensive preparations on the shores of that sea, though exercising no influence on the freedom of passage for ships, are necessary for the defence of Anatolia and Thrace.

"2. As the railway line constitutes an important means of connection between Anatolia and Thrace, and as Constantinople possesses a garrison, it is useless to have a demilitarised zone round the Bosphorus. It will be sufficient to indicate that there should be no land or sea fortifications on either shore.

"3. It is proposed to prohibit movements of troops in the demilitarised zones; but these movements must be allowed, because the zones in question connect the two parts of the country.

"4. With a view to defending the shores of the Sea of Marmora by means of a fleet, Turkey needs to maintain arsenals and other naval establishments at Constantinople and in the Straits.

"5. The area of the demilitarised zones is too extensive.

"6. As regards the four islands situated near the Straits, Turkish sovereignty must be recognised and affirmed over Imbros, Tenedos and Samothrace, and Lemnos should be declared autonomous.

"7. A minimum means of defence should be permitted on the Gallipoli Peninsula in order to protect it against a surprise attack."

M. Chicherin wished to make a supplementary statement, which he had been unable to do at the preceding meeting, in reply to Lord Curzon's speech and the proposals put forward in the name of the Allies. He reserved the right to reply later on to the speech just made by Ismet Pasha :—

"Having examined with due care the speech made by the president of the British delegation, in the name of the inviting Powers, at the last meeting of the first commission, the delegation of Russia, the Ukraine and Georgia are more than ever determined to maintain the views expressed in their statement of the 4th December.

"The president of the British delegation meets our contention with arguments derived from international law, historic precedents, the needs of world commerce and the political interests of the Balkan States bordering on the Black Sea. We will examine these arguments one by one.

"International law and historical precedents in reality only strengthen our case. Lord Curzon described as a paradox the statement that freedom of commercial navigation in the Black Sea can only be assured if Turkey is able to employ all the methods of modern military technique for the defence of the Straits; but, to quote only a single example, we can point to the Panamá Canal, which, though one of the most important world routes, is in point of fact fortified, and also free from any international control. Another example is the Suez Canal, which ought, according to international law, to be under the control of an international commission, but that commission is never convoked now.

"Thus, when Russia and her allies claim that the right to fortify the Straits of the Bosphorus and the Dardanelles should be unrestricted, they are only asking for the application of principles which two of the Great Powers represented here apply in their own territory. It is true that the Suez and Panamá Canals are open for the passage of warships, but the last world war has proved that States which own straits can enforce any régime they please without troubling themselves over such-and-such a rule of international law. Moreover, the closing of the Bosphorus and the Dardanelles to war fleets has been recognised by conventions and treaties, and has thus become a rule of international law. Again, the parallel drawn by Lord Curzon between the Bosphorus and Dardanelles régime and that of other straits is not justified, since the former are not, properly speaking, a passage between two open seas, but the entry and outlet of a sea which many authors, including a former French Minister, regard as a *mare clausum*.*

"The president of the British delegation proclaims his concern to find 'a permanent and satisfactory solution' for the Straits problem. For Russia, the Ukraine and Georgia this concern is even greater, since they are States bordering on the Black Sea. The solution proposed is not ideal, as it creates great disadvantages for Russia and her allies. Russia is ready to undertake of her own free will not to send her Black Sea fleet out into the Mediterranean and to deny herself free passage for that fleet to Petrograd and Vladivostok; these undertakings are a serious restriction and inconvenience for her. Nevertheless, Russia and her allies propose this solution because past experience has proved that it is the only one which satisfies all the interests concerned. If England does not wish to see the Russian fleet at Constantinople as in 1833, and if Russia does not wish to see the British fleet in the Straits as during the Crimean war, the Russian proposal provides this mutual guarantee.

"The ideal solution would be to put a stop to all naval armaments on every sea. But in the present situation the only possible compromise between the conflicting interests is for Turkey, as sovereign, to close the Straits to warships.

"Another argument employed against us is that the interests of commerce are alleged to necessitate the presence of foreign fleets. This ancient theory appears very much out of place at the moment when America, simultaneously with an unexampled increase in the size of her commercial fleet, has taken the initiative in putting a stop to naval armaments. Commercial tonnage is on the increase everywhere concurrently with an effort to cut down war fleets. The Western Powers apparently mean to follow the same procedure as in colonial countries, by having their merchantmen convoyed to Russia by warships; but they are greatly mistaken if they think that Russia will acquiesce in this. The obstinate determination of these Powers to supplement commercial traffic on our shores by the maintenance of armed fleets can only imply the intention to substitute might for right. The development of commercial relations in the Black Sea is of vital interest for our people, which is ten times more numerous than the population of Roumania; it is one of the essential tasks which we set before us, whereas the inviting Powers appeal to alleged commercial interests with a view to creating conditions the real purpose of which is to prepare a new blockade of Russia.

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* At this point M. Chicherin read the following passage from "La Guerre des Balkans," by Gabriel Hanotaux (p. 199):—

> "In reality the Black Sea is a blind alley. Its fate is no longer of much interest to anyone except the countries bordering on it. As it is reduced to the condition of an inland sea, its internal and external régime must depend almost exclusively on the will of those countries. Russia, Turkey, Roumania and Bulgaria have to agree among themselves regarding their common interests. The reconciliation of these interests cannot be delayed much longer. Just as the confederation of the Balkan peoples will some day decide the fate of the territories within the Balkan peninsula, so likewise a Black Sea confederation will probably be one of the solutions of the future, and will settle the Straits question in the same way as the tenants of a house settle their entrances and exits. I cannot understand why so natural and desirable a pact should have been delayed so long."

"The inviting Powers also advance as an argument against our case the alleged interests of Bulgaria, whom they themselves have disarmed, and of Roumania, who never raised any objection to this régime during the period of the expansionist policy of Tsarism. While they wish to create a state of things which will perpetuate trouble and conflict in the Black Sea, they pretend that their desire is to ensure tranquillity for Roumania. If the Powers at the very moment when they are striking at the vital interests of Russia give as their pretext the alleged interests of Roumania, the latter country will lose much more than she will gain. It is a very poor service to Roumania to make a second Greece of her. Russia and her allies for their part are entirely free from any aggressive intention against Roumania. We are always ready to examine conjointly with Roumania all possible means of putting an end to any disagreement which may arise between us.

"The president of the British delegation was quite right in saying that the former rôles of Russia and of the Western Powers in the Straits question are to-day reversed. Why did our predecessors of the old régime such as Isvolsky and company seek to open the way out of the Straits for the Russian fleet? For purposes of expansion and aggression—to threaten the peace and security of other countries. The closing of the Straits to warships was a barrier which the Western Powers built up as a check on these ambitions. At present the rôles are reversed; it is the new Russia which, having renounced aggressive designs, now wishes to maintain a barrier against aggression from other quarters; and Great Britain, the very Power which formerly sought to protect her world power by means of this barrier, to-day wishes to profit by the momentary weakness of Russia and abolish the old barrier of the Straits, which is a check on her power.

"You do not consolidate peace by piling up armed forces; this was a reproach frequently levelled against Bismarck by the statesmen of the inviting Powers of to-day. Peace is consolidated by the separation of conflicting forces. The barrier which we wish to constitute is based on the principle of nationalities—the principle which, according to all the rulers of Great Britain (Liberal, Conservative and Coalitionist), and also according to many statesmen of the other *Entente* countries, was defended by those countries in the great war. Was that principle proclaimed only to be abandoned when the heroic Turkish people is concerned? The system advocated in opposition to ours is wholly directed against this very principle as far as Russia and her allies are concerned.

"The system with which we are confronted can be defined thus: How can you best tie Russia's hands and organise war in the Straits? The maintenance of preponderating adverse forces in the Black Sea through this system is not a means of effecting reconciliation with Russia; it is an attempt to terrorise her, but she will not give in. As for the régime which it is proposed to institute in the Straits, it is the organisation, not of peace, but of war. The forces maintained by each Power in the Black Sea are not to exceed those of the strongest fleet of the littoral States; the combined fleets of the inviting Powers will therefore be three times as strong as that of any one Black Sea Power. The Powers which in this room as in many others speak with one voice will thus have an overwhelming preponderance in the Black Sea. If the littoral Powers come to an agreement for the demilitarisation of their naval forces, every outside Power will nevertheless be able to maintain three ships in the Black Sea, one ship only out of the three being above 10,000 tons. If two out of these three ships are of 10,000 tons each and the third is of 30,000 tons, each foreign Power will maintain 50,000 tons in the Black Sea as against the littoral Powers, who will be completely disarmed at sea. What a strange way of promoting naval disarmament! In war time, when Turkey is neutral, the Powers attacking Russia can bring their fleets into the Black Sea without any restriction. Turkey, being disarmed in the Straits, will necessarily become a toy in the hands of the Powers.

"The proposal for the demilitarisation of the Straits provides that in the event of war Turkey may modify this régime; but how can a disarmed zone be transformed at one stroke into a defended zone? Turkey is forbidden to make preparations with a view to defending the shores of the Straits. In the whole region surrounding the Straits and the Sea of Marmora no railway and no road can be constructed, for they might be used for the transport of engines of war. The Control Commission which is to supervise the disarmament will be able to interfere in all local affairs, for the interpretation of the disarmament clauses will be in the hands of that commission. The Turkish fleet, if it goes through the Straits, will not even be able to stop in its own country. On the other hand, if Turkey is at war she will be forced to grant complete freedom of passage to neutral warships, and this will cause indescribable confusion as regards the measures for her own defence. It is the end of Turkish independence. Russia cannot accept the régime proposed for the Black Sea; and she regards a free and sovereign Turkey (which is rendered impossible by the régime proposed for the Straits) as a necessary element for peace, just like neutral Switzerland in the heart of Europe, or Belgium.

"Since we have broken with the policy of our predecessors, we are not searching any cover for the purpose of preparing attacks against others, as has been insinuated against us. Our Black Sea fleet is purely defensive. The Straits must be closed to us as well as to others. We wish to establish a stable order of things, a fragment of that world-wide stability in the creation of which we wish to co-operate. There will not be any stability without the co-operation of Russia. Russia and her allies must receive guarantees enabling them to develop freely and without hindrance. For this purpose the Straits must be closed to ships of war, and thus the rivalries which now exist will be kept asunder; as the foundation of this system the complete freedom and sovereignty of Turkey must be maintained."

M. Duca felt bound to reply to the passage in M. Chicherin's speech which concerned Roumania. He noted with satisfaction that the Russian delegation wished to take steps with a view to eliminating the present causes of division between Russia and Roumania.

M. Chicherin had expressed the opinion that Roumania was content with the pre-war régime of the Straits and had never protested against it. This statement was not correct. As a matter of fact Roumania was not satisfied with that régime, but had been constrained to acquiesce in it. Her history as a nation was still short, but she had nevertheless had experience of grave times when she realised how heavily that régime weighed on her destinies. She therefore asked that a régime of freedom should be instituted in the Straits with a view to obviating the recurrence of such a situation. M. Chicherin had stated that in the opinion of the Russian delegation a barrier should be set up in order to keep rivals apart. For Roumania this barrier would be an encircling wall.

M. Duca wished to warn the Russian delegation in a most friendly spirit that Roumania had no desire to play the part of a mere instrument in the hands of other Powers. She demanded the freedom of the Straits not because she was urged to do so by other States, but solely because she considered that her interests required it. Besides, the traditional policy of Roumania—a policy which had secured for her some measure of success—was not to maintain a selfish cause, but to try to harmonise her own interests with great principles and international interests. Such was the attitude of Roumania in the question of the Danube; such was her attitude during the world war. So again in the matter of the Straits the purpose of the Roumanian Government, in demanding freedom of passage, was to bring her interests into line with a great principle and with great international interests.

M. Venizelos drew attention to the fact that M. Chicherin had made an insinuation concerning Greece which called for an explanation. M. Chicherin had said that Roumania might become another Greece. Such a statement, made before an international conference, was apparently designed to cast a slight on the prestige of Greece. He requested M. Chicherin to be so good as to explain himself on this point. Before such an assembly, insulting insinuations could not be made.

M. Chicherin said that he had merely wished to allude to the dependence of certain Governments on others, and to the consequences which such a situation might entail.

As regards M. Duca's speech, M. Chicherin took the opportunity of making the following statement :—

> "If our system for the Straits is adopted, we are ready to discuss at a special conference with the States bordering on the Black Sea the conditions for the mutual security of their coasts."

M. Veniselos thought that M. Chicherin's explanation was somewhat nebulous, and considered it best not to press the point.

Lord Curzon enquired whether the Bulgarian delegation wished to speak.

M. Stamboliisky replied that he had nothing to add to his previous statements.

Lord Curzon said he had hoped to hear a more definite statement from the Bulgarian delegation. The situation had changed since the last meeting, when he had put forward on behalf of the Allied Powers a definite scheme for the regulation of the Straits. At the request of the Turkish and Russian delegations a delay of more than a day had been given for the preparation of detailed replies. The commission had just heard the Turkish and Russian answers. M. Duca had given his views in a speech of conspicuous clearness. It was vitally important for the Allies to know the opinion of all the States interested in the question. The inviting Powers had no desire to impose a solution; they wanted to arrive at a decision by common consent, and it was the common interest of every State to contribute to the discussion. He therefore hoped that M. Stamboliisky would reconsider the matter and give his views.

M. Stamboliisky said that he accepted the proposals of the Allies in regard to the question of the Straits.

M. Spalaikovitch said that the Serb-Croat-Slovene delegation had come to Lausanne for the purpose of negotiating and concluding peace with Turkey and wished to make sure that the interests of their country were safeguarded and harmonised with the interests of all. He accordingly had the honour to confirm the statement which he had made at the previous meeting in regard to the Straits question; the Serb-Croat-Slovene delegation concurred in the views and principles set forth by the inviting Powers.

M. Veniselos said that he accepted the proposals on behalf of the Greek Government.

Lord Curzon said that Ismet Pasha had stated the views of the Turkish delegation with great clearness. He had laid down the bases which, in the opinion of Turkey, must underlie any scheme capable of affording a permanent solution of the Straits problem, and had named seven points in the Allied scheme on which he required further explanations. Some of these points could be answered at once, as Ismet Pasha's apprehensions were not justified and could easily be removed; but he (Lord Curzon) thought it would be more respectful to the Turkish delegation and to the conference if a full reply were postponed until he and his Allied colleagues had had time to examine Ismet Pasha's observations in detail—all the more so since M. Chicherin's speech showed that the Turkish statement was as great a surprise to the Russian delegation as to everyone else. He therefore suggested that the commission should adjourn, not as on the previous occasion for a day and a half, but until that afternoon.

M. Barrère and Marquis Garroni accepted this proposal.

(*The commission rose at* 11·30 A.M.)

No. 15

Territorial and Military Commission.

Minutes of the Twelfth Meeting (Fourth Meeting of the Straits Commission), December 8, 1922, *at* 4 P.M., *under the presidency of Lord Curzon.*

Present:

British Empire.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

France.

M. Barrère.
M. Bompard.

Italy.

Marquis Garroni.
M. Montagna.

United States of America.

Mr. Child.
Admiral Bristol.
Mr. Grew.

Japan.

Baron Hayashi.
Mr. Otchiai.

Greece.

M. Veniselos.
M. Caclamanos.

Roumania.

M. Duca.
M. Diamandy.

Kingdom of the Serbs, Croats and Slovenes.

M. Spalaikovitch.
M. Rakitch.

Turkey.

Ismet Pasha.
Riza Nour Bey.

Bulgaria.

M. Stamboliisky.
M. Stanciof.
M. Teodorof.

Russia, Ukraine and Georgia.

M. Chicherin.
M. Rakovsky.
M. Mdivani.
M. Vorovsky.

Also present:

British Empire.

Sir W. Tyrrell.
Mr. Lindley.
Admiral Sir R. Keyes.
Major-Gen. Burnett-Stuart.
Captain Pound, R.N.
Mr. Malkin.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Major McLeod.
Mr. McClure.

France.

Admiral Lacaze.
General Weygand.
M. Fromageot.
M. de Lacroix.
M. Bargeton.
M. de Percin.
M. Barois.

Italy.

M. Arlotta.
M. Guariglia.
Admiral Chelotti.
Colonel Vitale.
M. Nogara.
M. Ciamarra.
M. Salem.

United States of America.

Mr. Amory.
Mr. Gillespie.
Mr. Dwight.
Mr. Heck.

Japan.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Commandant Tsuru.
Mr. Tani.

Greece.

General Mazarakis.
M. Dendramis.
M. Politis.
M. Michalopoulos.

Roumania.

M. Contzesco.
Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Antitch.
M. Ilitch.

Turkey.

Munir Bey.
Moukhtar Bey.
Tevfik Bey.

Bulgaria.

M. Morphof.
Mgr. Stephan.

Russia, Ukraine and Georgia.

M. Berens.
M. Chapochnikof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

ROUMANIA.

M. Constantinesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

BULGARIA.

Mlle. Stanciof.
M. Altinof.

RUSSIA, UKRAINE AND GEORGIA.

M. Sabanine.
M. Pastoukhof.
M. Ahrens.
Mme. Zaretzkaia.

Interpreter: Lieutenant-Colonel Heywood.

LORD CURZON made the following statement:—

"This morning we listened to the views of the Turkish delegation, and I promised to give them this afternoon the reply of the Allied Governments.

"In the first place, we are glad to recognise that the Turkish delegation accepted in general the principle of demilitarised zones, provided that they can be assured of adequate protection for their territory and interests.

"Secondly, they accepted without qualification the principle of the free passage of ships of commerce in peace and war.

"Thirdly, they accepted the creation of an international commission for the regulation of the navigation of the Straits.

"The Turkish delegation then proceeded to lay down the bases of the régime they would like to see applied to the Straits.

"The first point was that which I have already mentioned, namely, the desire that they should be guaranteed against any surprise attack by land or sea on the Straits, the Marmora or Constantinople.

"Our reply to this is that, in so far as naval and military guarantees are concerned, the proposals of the Allies are believed by them to be adequate. But I indicated the other day—as I did when discussing the question of the demilitarised zones in Thrace

—that the question whether further guarantees of a more political character are required is one well worthy of examination. It is a matter that has already been investigated by the Allied judicial experts, and I would suggest that they enter into consultation with the corresponding Turkish experts to see whether a basis of agreement can be found.

"The second Turkish point is their suggestion of a limitation of naval forces permitted to enter the Black Sea. Here we think that the principle laid down in the Allied proposals is sound; but we shall be quite ready to interpret that principle in a liberal way, and I feel sure that after friendly examination a formula can be found which will satisfy the apprehensions of the Turkish delegation.

"The third basis laid down by the Turkish delegation was 'liberty of passage both in peace and war for commercial ships; in case Turkey is at war, she will content herself with the necessary technical control.' There is no dispute about this, because the Turkish contention coincides with the Allied proposals.

"I now turn to the seven points in which the Turkish delegation thought that the Allied proposals might be injurious to the security or interests of Turkey.

"The first point was the Turkish proposal that the Sea of Marmora should be excluded from the expression 'the Straits,' because of the necessity of defending certain ports and railheads on the shores of the Marmora. It is clear, I think, that we cannot definitely exclude the Marmora, because it is a geographical continuation of the Straits, and because freedom of passage is as necessary there as through the Straits themselves. This is the fundamental principle of our proposals, which is not contested by the Turkish delegation.

"On the other hand, it ought to be quite possible to arrange for the defence within certain limits—that would constitute no menace to the right of free passage—of the ports or railheads referred to, and this is a matter which our experts will be quite willing to discuss with the Turkish experts.

"The second point is that there need be no demilitarised zone at the Bosphorus, because across it lies the main line of connection from the two railheads on the Asiatic and European shores between Anatolia and Thrace. We think that the demilitarised zones should be retained; but it may be possible to make certain modifications in the case of Constantinople.

"The third point is an amplification of the last-named point, viz., that the passage of troops should be permitted from one demilitarised zone to another, *i.e.*, from one shore of the Straits to the other inside the zones. Our answer is that there will be no objection to the passage of Turkish troops from one side to the other provided they are in transit.

"The fourth point is the demand of Turkey to have arsenals and other maritime installations at Constantinople and elsewhere. This is a request that is well worthy of examination and on which it should not be difficult to arrive at an agreement. But I think it will be well to reserve it until we come to discuss the naval and military clauses of the new treaty, which is a part of the work of this commission, and to which I hope that we shall be able to turn in a few days' time.

"The fifth point is the complaint that the demilitarised zones are too large. The Allied military and naval experts are not clear as to what this means, but manifestly the precise geographical boundaries of the zones are a matter for legitimate discussion, and our experts will be glad to hear what the Turkish experts have to say on the matter.

"The sixth point is political. The conference will remember that we spent some time last week in discussing the demilitarisation and political future of the islands outside the Straits. We were disposed to agree that the four islands of Imbros, Tenedos, Samothrace and Lemnos should be demilitarised. But the Allies could not agree that the sovereignty of Lemnos or Samothrace could possibly be called in question, and therefore the Allies could not agree to accept an autonomous régime for Lemnos. As regards Imbros and Tenedos, we reserved the question till a later date, and I invited from the Turkish delegation on that occasion a fuller statement of the reasons which could justify them in asking that the exclusively Greek island of Imbros—of which I gave the figures of population—should be transferred to the sovereignty of Turkey.

"The seventh point is a request on the part of the Turks that they should be given 'un minimum de moyens de défense' for the peninsula of Gallipoli in order to save it from a surprise attack. Here, again, the Allied experts do not know exactly what the Turkish delegation desire, and the matter had better be discussed between them in a friendly spirit.

"There is a further point which has not so far been mentioned in our discussion, but upon which the Allied Powers will be compelled to insist. It is that we must ask for the vesting in Allied possession of the ground in several parts of Turkish territory where lie the graves of our brave soldiers and sailors who perished in the war. To us this is sacred soil, and I am convinced that there will be no objection on the part of the Turkish delegation, who have so frequently made an appeal to sentiment and to national feeling, to concede this very natural request."

Baron Hayashi said that although he had not yet taken part in the present discussion it must not be assumed that Japan took no interest in the matter. In order to avoid that misunderstanding, the Japanese delegation wished to state that Japan had a great interest in the question of the Straits, being one of the great shipping and commercial Powers in the Mediterranean, and having the right to extend her commerce to the Black Sea. The Japanese delegation therefore fully agreed with the proposal made by Lord Curzon on the 6th December, and also entirely associated themselves with the words used by the United States delegate at the same meeting. He (Baron Hayashi) was one of many who had that morning listened with great delight to the statement of Ismet Pasha, who had approached the solution of this question in a conciliatory and sympathetic spirit. After hearing the very clear statement just made by Lord Curzon, he felt that the solution of the problem was coming nearer; and if the question were satisfactorily settled, Ismet Pasha would share with the other delegates the thanks of the world.

M. CHICHERIN said that the Russian, Ukrainian and Georgian delegation had that day become acquainted with the Turkish statement, and were in agreement with the general section of it which dealt with the disarmament of the Straits.

As regards the practical proposals of the Turkish delegation, the final view of the Russian, Ukrainian and Georgian delegation could not be stated until these proposals had been examined in detail by the sub-commission or the committee of experts, and they reserved the right to ask for explanations and definitions in that body. They also maintained their previous reservation as regards the necessity of the Straits being closed to warships by Turkey, the sovereign Power, or being fortified with a view to the preservation of peace in the Black Sea.

LORD CURZON understood M. Chicherin to ask for opportunity to obtain further explanations on certain points of detail, particularly as regards the Black Sea. He need hardly say that the Allied naval and military experts would be glad to give M. Chicherin any explanations which he desired on these points.

M. CHICHERIN replied that this interpretation was not quite correct. The Russian delegation could only decide whether to accept or reject the Turkish proposals after detailed examination of them. That was why they reserved the right to ask for detailed information, when the general principles enunciated by the Turkish delegation took the form of definite clauses, in a sub-commission in which they would participate. When any misunderstanding about the meaning of the proposals was no longer possible, the Russian delegation would give their views and announce whether they accepted or rejected the proposals.

LORD CURZON enquired whether the Turkish delegation desired to say anything forthwith in reply to what he had said on behalf of the Allies, or would prefer to speak later. He had proposed a discussion among the experts on various points, and possibly Ismet Pasha might prefer to postpone his reply until that discussion was completed.

ISMET PASHA said that the Turkish delegation required to know explicitly and as soon as possible the views of the Allies on the military and naval clauses of the treaty, which were a vital matter for Turkey, and of a character which might involve the whole question of the Straits. As regards the cemetery on the Gallipoli Peninsula, it was a Turkish tradition to venerate all cemeteries, and especially those of soldiers fallen on the field of battle. But he did not quite grasp the meaning of Lord Curzon's words regarding the ownership of the ground occupied by this cemetery. To sum up, the Turkish delegation would study the question in its new aspect after consulting the experts and obtaining the necessary details.

Lord Curzon said that Ismet Pasha had raised two points. The first was that, before making up his mind about the question of the Straits, he wished to know the views of the Allied Governments upon the naval and military aspects of the case, a perfectly reasonable request, especially in relation to the eventual naval strength of Turkey. He (Lord Curzon) was prepared to discuss that question as soon as possible, and would only ask Ismet Pasha whether he preferred to take the naval question separately as mainly affecting the Straits, or to examine the naval and military questions together. The second point related to the graves; Ismet Pasha said that he awaited an explanation from the Allies as regards the exact meaning of the term "ownership" of the ground in which their soldiers and sailors were buried. He (Lord Curzon) had deliberately used the word "ownership" as distinct from "sovereignty." The question had been fully discussed during the preparation of the Treaty of Sèvres, article 218 of which showed exactly what the Allied case was at that time. The demand which he now made was precisely the same.

M. Barrère recalled in this connection the fact that the French Government had recently granted to Turkey the same privilege as that now demanded by the Allies, in regard to the tomb of Sultan Suleiman Shah.

Lord Curzon desired to give another illustration of the practice to which M. Barrère had alluded. The ground in the Island of Saint Helena, where the great Emperor Napoleon spent the last six years of his life, including the house in which he died, was handed over by Queen Victoria in perpetual possession to the French Government. He himself had visited Saint Helena and found this considerable piece of land in the hands of the French Government, and occupied by the French consul. That was the most direct and effective analogy he could suggest.

Ismet Pasha recognised that there were many points to be discussed with the experts. He thought it absolutely necessary to examine the military and naval clauses of the treaty in close connection with the Straits problem. The second of these two questions could not be approached profitably without information regarding the first.

Lord Curzon said that he would summon an early meeting of the commission to discuss the naval and military clauses, and meanwhile the experts could continue the examination of the points raised that day.

In connection with the communiqué to be given to the press, M. Chicherin asked that the communiqué should indicate that the Russians were going to participate in the detailed examination of the proposals with the Turks.

Lord Curzon said he was not quite sure whether he understood the change proposed by M. Chicherin. He had consulted with his Allied colleagues, and their view was that most of the questions at issue were matters for examination between the Turkish and Allied experts. In many of these questions the Russian Government had no concern, and he would be sorry if any words used in the communiqué should create a false impression.

M. Chicherin said that the Russian delegation held that the whole question of the Straits and the Black Sea must be examined and decided by a commission in which they participated.

Lord Curzon thought it hardly necessary to repeat what he had said before. He certainly had no desire to exclude the Russian delegation from any discussion in which they were properly interested, but many of these questions—demilitarised zones, the military and naval forces of Turkey, ports, railways, Constantinople—concerned Turkey alone, and Russia had nothing whatever to do with them. He could not, therefore, accept the principle advanced by the Russian delegation. M. Chicherin must trust him and his colleagues to be perfectly fair in this matter.

M. Chicherin replied that the whole question of closing or regulating the Straits had already been regarded as one of direct interest to Russia, Georgia and the Ukraine.

Lord Curzon said that precisely the same case could be made by Bulgaria, Roumania or Jugoslavia, but those Powers did not make any such demand. What they had neither asked nor obtained could not be conceded to Russia. At any stage where matters assumed an international aspect and the Russian delegation were concerned, M. Chicherin could rely on him (Lord Curzon) to give him early notice and full opportunity of being heard.

M. Rakovsky said that the precedent of Bulgaria, Roumania and Jugoslavia was not binding on Russia, because the interests of these Powers were defended by the Allied delegates. Russia had been invited to take part in all negotiations and decisions on the various aspects of the Straits question. It was obvious that all questions concerning the armament of Turkey—such as demilitarisation, even in Eastern Thrace—must affect the Straits problem and also that of the Black Sea.

Lord Curzon said that in no decision which had been arrived at or announced was there any question of more than a discussion by experts. It had been proposed that afternoon that on points affecting Turkey the Allied and Turkish experts should consult together. No claim could be based on any letter or document giving Russia, the Ukraine or Georgia any right in that respect, and to that position he must adhere.

M. Barrère said that the Russian experts had every right to consult the Allied experts if they wished to do so; the Allied delegations invited the Russian delegation to make use of this right. All that was proposed was an exchange of ideas, not the setting up of a special committee on the Straits question.

M. Chicherin said that the Russo-Ukrainian-Georgian delegation would present written conclusions, and asked when the sub-commission would be formed to study all these questions and draw up the text of a treaty; he wished Russia to be represented on it.

Lord Curzon said that if he understood M. Chicherin aright, the latter had in mind the appointment of a sub-commission to draw up the text of a future treaty. He (Lord Curzon) only wished that the conference had arrived at that point. If M. Chicherin would devote himself to drawing up the text of a treaty, all the delegates would be greatly obliged to him; but as yet matters had hardly reached the stage at which the drafting of treaty clauses could be taken in hand.

M. Chicherin said that in these circumstances he would not insist.

(The commission rose at 5 p.m.)

No. 16.

Territorial and Military Commission.

Minutes of the Thirteenth Meeting, December 12, 1922, at 4 p.m., under the presidency of Lord Curzon.

Present:

British Empire.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

Italy.

Marquis Garroni.
M. Montagna.

Japan.

Baron Hayashi.
Mr. Otchiai.

Roumania.

M. Duca.
M. Diamandy.

France.

M. Barrère.
M. Bompard.

United States of America.

Mr. Child.
Admiral Bristol.
Mr. Grew.

Greece.

M. Veniselos.
M. Caclamanos.

Kingdom of the Serbs, Croats and Slovenes.

M. Spalaikovitch.
M. Rakitch.

Turkey.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Mr. Lindley.
Mr. Ryan.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

M. de Lacroix.
M. Laporte.
M. Bargeton.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
M. Guariglia.

UNITED STATES OF AMERICA.

Mr. Amory.
Mr. Dwight.
Dr. Blue.
Mr. Heck.
Mr. Gillespie.

JAPAN.

Mr. Sato.
Mr. Tani.

GREECE.

General Mazarakis.
M. Dendramis.
M. Politis.
M. Michalopoulos.

ROUMANIA.

M. Contzesco.
Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Antitch.
M. Ilitch.

TURKEY.

Munir Bey.
Vali Bey.
Shukri Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

ROUMANIA.

M. Constantinesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

Interpreter: Lieutenant-Colonel Heywood.

Lord Curzon proposed to begin the discussion on the question of the protection of minorities by making a general exposition of the case on behalf of the Allied Powers. In view of the importance of the issue, he had placed his views on paper, and, in order to save time, he would have the following speech read out at once in French by the interpreter :—

"Under the arrangement so kindly proposed on a previous occasion by the Marquis Garroni, I now invite the conference to approach the question of the protection of minorities. I need hardly remind the commission that this is a subject which excites the deepest interest throughout the civilised world. That a minority existing under an alien rule, in conditions which are often harassing and difficult, more especially when differences of religion as well as race are involved, should receive adequate guarantees for its secure and orderly existence is a principle which none will deny and which has found a place in a large number of the European treaties concluded since the war. Further, that this principle should be embodied in the treaty which we hope to conclude will not be disputed by any of the parties concerned. It is required by the public pledges which have been given by the majority of the Governments and parties concerned, and it is also demanded by the exigencies of the case, seeing that we take up the problem at the end of a war which has aroused bitter passions, has been attended by a terrible destruction of human life among some of the minorities most directly affected, and is even now being followed by a violent dislocation of large ethnic groups which cannot fail to be productive of much suffering. The relations between some of these communities in the Turkish Empire and the Central Government have been difficult and bloodstained where the communities were numerically powerful. They are likely to be more delicate and to call for more effective protection when the minorities are weak and scattered.

"I invite the Turkish and Greek delegations to realise that the eyes of the world are upon us as we discuss this question, and that, according as it is settled in an equitable and reasonable spirit or the reverse, so shall we and they be judged.

"In these general observations I have made no allusion to one minority rather than to another, though I might easily have done so, and I willingly make the admission that if Christian minorities are to be protected in Asia or elsewhere, so also are Moslem minorities entitled to protection in Europe. One religion and one race is not more entitled to security than another.

"Let me briefly record the history of the case. One of the objects which the Allies set before themselves when they were involved in war was the protection and, where possible, the liberation of the Christian minorities existing in large numbers in Asia Minor. Particularly was this the case with regard to Armenia, the pledges about which have been often repeated and are well known. Indeed, those pledges may be said to have dated from the Berlin Treaty nearly half a century ago. When the recent war was concluded and the League of Nations was instituted, the League was charged with the supervision of the minority clauses in the European treaties, for instance, those with Poland, Roumania, Jugoslavia, Czechoslovakia, Austria, Hungary and Bulgaria. Later on, when the Treaty of Sèvres was drawn up, a large number of articles were devoted to the special question of the protection of minorities.

"Further, on more than one occasion the Council and also the Assembly of the League of Nations have expressed their entire readiness to co-operate with the Powers in carrying out this object. Thus there has been a consensus of opinion that action was required and of willingness to provide the necessary mechanism.

"When the Paris Conference took place in March 1922, between M. Poincaré, Signor Schanzer and myself, we again went into the matter very closely, and we arrived at an agreement which was to be submitted to the Turkish Government, had the meeting which was intended to conclude an armistice and to stop hostilities in Asia Minor been held. We proposed to take the various provisions that were contained in Turkish law and in the recent European treaties, and to incorporate them in the new treaty of peace. The League of Nations was to provide the guarantees and to supervise their execution.

"Meanwhile, the Turkish Government had itself in the declaration of the 17th February, 1920, declared its acceptance of the basic principle that the rights of minorities should be confirmed and assured.

"Thus we are brought to the Paris note of the 23rd September last, which has resulted in this meeting at Lausanne, and in which the inviting Powers laid down that one of the conditions under which they would support the return of Eastern Thrace up to the Maritza River to Turkey at this conference should be the adoption of measures by common agreement in the treaty to ensure effectively under the auspices of the League of Nations the protection of racial and religious minorities. Eastern Thrace has since been restored to Turkey. She is now called upon to fulfil the corresponding obligation.

"Finally, in their reply of the 4th October, the Angora Government employed the following terms:—

> "'The liberty of the Straits on the condition of assuring the security of Constantinople and of the Sea of Marmora, as well as the safeguarding of the rights of minorities in the limits in which it is compatible with the independence and the sovereignty of Turkey, and with the exigencies of the effective pacification of the East, being equally desired by Turkey, there is no difference of principle between us.'

"Thus, ever since the termination of the war there has been an agreement in principle between the Allied Powers and Turkey—

"(*a*.) That minorities have a right to protection.

"(*b*.) That the treaty of peace must contain special provisions to that effect.

"On the side of the Powers there has been a general disposition to think that the League of Nations is the body best qualified, by its impartial and representative character and by its high moral authority, to collaborate in the execution or supervision of such measures, and it was for this reason that mention of it was deliberately included in the Paris note of the 23rd September last.

"Of course, the question whether it is the best qualified body for the purpose or whether any other organisation is preferable or can be devised remains open for discussion here. But it has certainly throughout been the hope of the European Powers that, when once peace is concluded, Turkey would apply for, and receive, admission to the League of Nations; and that in that way she would obtain a direct and immediate and practical voice in the administration of the clauses relating to minorities, whether they are Christian minorities in Anatolia or Moslem minorities in Europe. I invite the Turkish delegation to consider very seriously whether they will not be greatly the gainers, both in this and in other respects, by such an arrangement, and not lightly to reject it because they have so far not had experience of any such international concert.

"I now come to the question of the minorities with which we have to deal.

"The question has been to a certain extent simplified, though I for one much regret the simplification, by the great transference of populations that is now going on as the result of the war. The total number of Christians who have been expatriated from Turkey during the last three to four months is variously estimated at from 600,000 to 900,000 persons, the bulk of whom have fled to Greece and become a charge on the Greek Government. These, therefore, have to be deducted from the minorities remaining under Ottoman rule. I sometimes wonder if the Turkish Government have at all fully considered the economic results of this gigantic transference of peoples, to which there is no parallel in modern history, and by which I expect that in many cases Turkey will lose much more than she gains. However, it leaves us in this situation:—

"Firstly, as regards the Moslem minorities:

"In Europe the greater part, if not the whole, of the Turkish population in Greek territory, with the exception of Western Thrace, will cease to be a minority population because they will return to Turkey. They are estimated at about 350,000 persons.

"The exception, as I have said, will be the 124,000 Turks in Western Thrace whom the Greek Government is prepared to leave alone if the Greek population of Constantinople is also left undisturbed. In that case the minority provisions will apply to the Turkish population. If no such arrangement can be arrived at, then they also will be turned out, and there will be no Turkish population in Western Thrace for whom provision will be required. The matter is now being investigated by a sub-commission under the able chairmanship of Signor Montagna, at which I understand considerable progress has been made, and as to which I strongly urge the

Turkish delegation in their own interest to adopt a reasonable attitude. Upon its decision will depend the question of the size and importance and degree of protection required for the remaining Greek population in Constantinople. I believe that its present numbers are between 350,000 and 400,000, although their number is being diminished weekly by flight and expulsion.

"There is also the Armenian minority population of Constantinople, estimated at the present time at 130,000 persons, to whom I shall revert.

"If we turn to Asia Minor, the exchange of populations which is now being carried out, and which, as I have said, in many respects I greatly deplore, will result in the almost complete disappearance of the Greek population from Anatolia, though there will, I suppose, remain the reconciled Ottoman Greeks, numbered at about 50,000 persons.

"There is also the important group of Nestorian or Assyrian Christians in different parts of the Kurdish mountains and on the Turco-Persian border. A deep interest is taken in the fortunes of these people, particularly in Great Britain, France and America, and they suffered terribly in the havoc and ruin of the recent war. In so far as they are now settled within the borders of British influence they are assured of our friendly interest and protection. Wherever they may be found in Turkish territory, we must insist upon adequate measures being taken to safeguard their religion, their industry and their life.

"There will also remain scattered communities of Jews and other small groups.

"I pass to the Armenians. Their case is deserving of special consideration, not merely because of the cruel sufferings which they have endured for generations, and which have excited the sympathy and horror of the civilised world, but because of the special pledges which have been made with regard to their future. In the old Russian province of Erivan, now a Soviet Republic, exists a so-called Armenian State numbering, I am told, about 1¼ million persons, but already so crowded with refugees of every description that it cannot admit a larger population.

"For the rest, the Armenian population of Kars and Ardahan, of Van, Bitlis and Erzeroum, has pretty well disappeared. When the French evacuated Cilicia, the Armenian population of that province followed panic-stricken in their wake, and is now strewn in the towns of Alexandretta, Aleppo, Beirout and the Syrian border. There only remain, I believe, about 130,000 Armenians in Turkish Asiatic territory out of a population which once numbered over 3 millions. Hundreds of thousands of them are scattered about as refugees in the Caucasus, Russia, Persia and adjacent countries.

"I have been informed since coming to Lausanne that the Angora Government, persuaded that they will be the sufferers if they lose the services of this capable and intelligent race, are disposed to encourage the Armenians to return and settle again in Anatolia. I think it will be greatly to their advantage to do so, and

I shall be glad to hear from the Turkish delegation some assurances on this point. In any case, there will remain in Asia Minor as well as in Europe a very considerable Armenian population in the future Turkish State, for whose security and protection minority provisions in the treaty will be called for.

"At this stage I must allude to the well-known demand which has been put forward both by the Armenians and their friends in all parts of the world for the creation of an Armenian national home. It is not unnatural that a people with so strong an individuality, so remarkable, if tragic, a history, and so pronounced a national spirit should aspire to a habitation of their own. If it be replied that they already possess it in the Erivan Republic, the answer must be returned that that area is already poverty-stricken and over-stocked, and that the form of government there set up is distasteful to many Armenians.

"Thus it arises that the petition is made, and has frequently been reiterated, that Turkey should find for the Armenians in some portion of her Asiatic territory, whether in her north-eastern provinces or on the south-eastern borders of Cilicia and Syria, the place of retreat and concentration which they desire.

"Circumstances may have rendered the fulfilment of this hope more difficult than it once was. But we shall be glad to hear the views of the Turkish delegation on the subject.

"It remains for me to consider the safeguards that will be required for the minorities that remain both in Turkey and Greece.

"Firstly, there are the specific guarantees, on the general lines of those contained in the European treaties, supplemented by some others which it will not be difficult to suggest. Secondly, there are certain measures connected with the present situation which the Allied Powers feel it to be their duty to recommend.

"(*a.*) Both the Turkish and Greek Governments should be invited to proclaim a general amnesty of a very comprehensive character for all offences, including common law offences, arising out of the events of the last nine years.

"(*b.*) Christians in Turkey and Moslems in Western Thrace should have the right of compounding for military service by payment of a reasonable fixed tax. This is a necessary safeguard against what might otherwise become a powerful engine of persecution and oppression.

"(*c.*) Freedom of movement in the country and freedom to leave should be assured equally to Christians remaining in Turkey and to Moslems remaining in Western Thrace, such freedom not to be accompanied by measures affecting their property and other rights.

"(*d.*) There remains another provision which my colleagues and I believe to be essential to the proper and efficient working of these guarantees both in Turkey and in Greece. We think that some body should be set up at Constantinople and at a suitable place in Greece to superintend the application of these measures. I am disposed to think

> that the League of Nations would be the best body to be entrusted with this task, the more so if Turkey were to become a member; and this question must be very carefully examined. But if some other board or body is proposed and preferred, let us by all means consider any such suggestion. It should have the power to depute one or more of its members to proceed from time to time to the places where the minorities reside, whether in Europe or in Asia, and to enquire into grievances and to see that the clauses of the treaty are being faithfully observed. Such persons should have access to the Turkish and Greek authorities in the areas in question.

"I have now given in rough outline a sketch of the problem with which we have to deal, and have indicated the manner in which, in the view of the Allied Powers, it might properly be approached. I invite this conference, and the Turkish delegation in particular, to consider these suggestions, which are conceived in a spirit of the strictest equity and fairness, with the favourable attention that is merited by the importance of the subject; and I once more repeat that there are millions of people in all parts of the world who will judge of our labours here very largely by the way in which we handle and dispose of this problem.

"I suggest that we set up a sub-commission to examine the details and to submit formal propositions."

M. Barrère made the following speech :—

"His Excellency Lord Curzon has just expressed in language of the highest eloquence sentiments which, I feel sure, are unanimously shared by the delegates of all the countries represented at this conference. These sentiments lie at the very root of all that is deepest, broadest, most natural and most generous in the conscience of mankind. Were we not obliged to make rapid progress towards solution of the problems before us, every one of us would wish to give full expression to his feelings and thoughts on this occasion.

"When studying the other questions on its programme, and, in particular, that of freedom in maritime relations between all nations, the guiding thought of the First Commission has been to place general interests above everything, and it has never failed to maintain the highest point of view in its discussions. The question approached by the conference to-day is in certain respects connected with the material state of that part of the world which is the object of our care. But first and foremost it belongs to a domain of things which is the common property of all mankind, a domain where it is honourable and right that everyone should make his voice heard and contribute his share of co-operation.

"I wished to begin my remarks by endorsing the words of our president, because the country which I represent here has always—ever since the remotest times—regarded herself as in honour bound to place her influence at the service of a cause in which, although one encounters nothing but good-will on all sides (of this I am sure), events and special circumstances have multiplied the difficulties to be overcome.

"It is, however, most encouraging for us to observe that the efforts made by France during several centuries to better the lot of all the peoples of the East have always been compatible with most friendly relations with the Ottoman Government. As the number of nations in close and direct contact with the East has gradually increased, this spirit of harmony has never flagged, and so I am convinced that in the work which we are taking in hand to-day the Turkish delegation will extend to us that complete and enlightened co-operation which we expect of them.

"The Turkish people is now endeavouring to develop itself as a nation, and displays a desire to regulate its life in accordance with the most modern and liberal principles. We therefore have strong reasons for hoping that satisfactory conditions of life may be granted to the populations which form, together with the Turkish people, a homogeneous political community.

"The principles which we are glad to see invoked by modern Turkey should in practice ensure to religious, linguistic and racial minorities that security, liberty and equality of rights which are the common property of all the inhabitants of a particular country.

"Can we doubt, moreover, that Turkey appreciates the true value of the economic and moral strength which she has hitherto derived from these minorities? At a time when commercial, industrial and agricultural activity is so necessary to every country for repairing damages due to a long series of wars and for exploiting undeveloped wealth, can we believe that the Turkish Government will fail to recognise how vitally important it is for it to preserve certain educated, industrious and hard-working elements of the population and enable them to exercise their full activity?

"We are convinced that Turkey will fulfil our expectations and that the Turkish delegation, who have on many occasions shown a clear understanding of present necessities, will facilitate our task with all their power. Among the various peoples of the East, the Turkish people is determined to assert its independent political existence, to reconcile all the requirements of progress with its own national tradition, which is so individual and strong, and to preserve and develop its own civilisation. I feel sure that the Turkish representatives at this conference will duly appreciate the sympathy and force with which all the countries represented here make this appeal. They will also doubtless understand the appeal of the French delegation—an appeal made in the name of a country which has always striven (with many other countries, I am glad to say, but not less than any one of them) for the triumph of humanity, justice and liberty. In the vast and diverse regions over which her political activities have spread, France has always taken scrupulous care to respect all forms of thought, religion and civilisation, however various and however different from her own tradition, and to permit their full development.

"In the statement which I have made to you I have purposely abstained from naming any people among those entitled to the protection of all the Powers, who regard it as a sacred duty to respect their existence, their material and moral interests and their right to be treated on a footing of equality with all citizens of the Turkish Empire. I regard them all as equally deserving of the great interest which they arouse in us.

"Nevertheless, it is no violation of these principles to observe that while we demand equitable treatment for all minorities without distinction as regards race, we are much concerned to obtain that treatment for the Armenians of Turkish nationality, who endured such great losses and such bitter suffering during the war."

Marquis Garroni spoke as follows :—

"I associate myself with the wise remarks and recommendations of our distinguished president. We must do our best to arrive at practical results which will enable the peoples of different races and religions to live together and contribute their share to the progress of the countries where they live.

"There is no need to recall the reasons why the tranquillity of those regions has repeatedly been disturbed. Unfortunately the last period of war, which has lasted a long time, has embittered the struggle; and to-day, after long years of war, we must curb the violence of passion and prevent further atrocities and vengeance. We must proceed on principles of tolerance, equity and justice, and forget the past. The spirit of reaction and violence must be replaced by the spirit of mutual respect and common interest. We must rise superior to all the misery and calamities of recent times. We must bend our thoughts to putting an end to the sufferings of the poor people who have borne the brunt of these grievous events and now have greater need than ever for repose, tranquillity and peace.

"I have no doubt that the truce of arms will be followed by a truce of passions. I rejoice in the hope that with the goodwill of all we shall gradually be able to create a situation in which the various elements can live together in peace. Turkey and her people will be the gainers, because they will thus be able to accomplish the progress on which the Angora National Government is bent.

"Let us therefore afford real protection to these minorities, to these poor Moslem, Greek or Armenian peoples, whether they live on Turkish or on Greek soil. In protecting these populations we are defending those principles of civilisation which lie in the minds of all—principles which we must try to instil even more into the hearts than into the minds of men."

Ismet Pasha read the following statement (see annex, p. 190).

Lord Curzon said that the delegates had hitherto regarded Ismet Pasha as a successful general and a capable diplomat; he had that afternoon shown them that he was also a professor of history, and had given them a long lecture on Turkish history from the days of

Mahommed the Conqueror to the present time. He had expatiated on the liberal sentiments of that monarch. He (Lord Curzon) wished he could have found in Ismet Pasha's speech an indication that the present Turkish Government was animated by the same spirit. Ismet Pasha had given copious extracts from histories, encyclopædias and official publications, French, English and American, in support of his theme. At one moment Ismet Pasha appeared to be quoting Lord Curzon himself, but it turned out that the passage was taken from a book dedicated to Lord Curzon by an old schoolmaster of his. He (Lord Curzon) would not follow Ismet Pasha into his history; much of it was interesting, but all of it was entirely irrelevant to the problem under discussion. If any delegate wished to compose an historical essay in future, it had better be circulated in advance so that the delegates might read it for themselves.

What was the position? The conference was assembled to deal, not with the past, but with the present and the future; to consider the state of the distressed minority populations in certain parts of Europe and Asia; to prepare a treaty which would contain sufficient guarantees for the prevention of injustice and provide for the maintenance of security and order. In his own remarks he had examined the situation with the utmost care, and, he hoped, with equity. He had stated the dimensions of the problem, named the various minorities to be dealt with, and made definite suggestions for the amelioration of their lot. On all these subjects Ismet Pasha had not a word to say. Three features stood out in the final part of his speech. Firstly, he indulged in a very pointed disquisition at the expense of the Armenians, with whom, after all, the Turks had to live in amity in the future. Secondly, he spoke in most uncomplimentary terms of the League of Nations, a body more capable of affording help and protection to Turkey than any other existing association, a body which he (Lord Curzon) had recommended to Ismet Pasha's notice in the course of his previous speech. Thirdly, Ismet Pasha said that the question could best be solved by the exchange of populations. That was not so. They would never solve the question if they approached it in that spirit. Even when every possible exchange of populations had been made, some minorities would always remain behind. He implored Ismet Pasha and the Turkish Government to approach this vital question in a humane spirit. As he had said in his previous speech, the whole world had its eyes fixed on the conference room. If Ismet Pasha's speech were circulated to the world, there would be a very great disappointment. Earlier in the day he had sent to the delegates, including the Turkish delegates, a copy of the remarks which he was about to make. A secretary of the Turkish delegation told him, just before the meeting, that his delegation had not had sufficient time to translate or study this paper; they therefore proposed to postpone their reply—a reasonable request to which he had readily agreed. The commission might judge, therefore, of his surprise when, on the contrary, the chief of the Turkish delegation proceeded to read a long paper, carefully prepared in advance, of the nature just described. He confessed he was bitterly disappointed.

What was to be done? He had proposed setting up a sub-commission to deal with this question; but before that sub-commission met it was important to know the views of the Turkish delegation on the problem put before them and the suggestions made by him. He still hoped to hear those views, and would much regret if the sole contribution of the Turkish delegation to the discussion was to be the speech just delivered. He suggested that the other delegations should now speak on the general question, and that the commission should meet again next day in order to hear the Turkish reply to his proposals. They would then be in a better position to know whether it was worth while to set up a sub-commission.

M. Venizelos made the following speech :—

"In response to the invitation addressed by our president to the Turkish and Greek delegations, I hasten to state, in the name of the latter, that we share the views expressed by Lord Curzon, and accept his carefully thought-out proposals as the basis of the work to be entrusted to a sub-commission.

"I feel bound to recall the fact that the solution of this supremely important problem has always seemed to me to be greatly facilitated by article 5 of the National Pact of Angora, which runs as follows :—

> "'The rights of minorities will be confirmed by us on the same basis as the rights established for the benefit of minorities in other countries by conventions concluded *ad hoc* between the *Entente* Powers, their adversaries and some of their associates.'

"I venture to observe that the provisions which the Allied and Associated Powers felt bound to insert in the various treaties of peace concluded after the great war were not imposed for the most part upon adversaries, but chiefly on States which had fought on the Allied side. This proves that these terms are not inspired by a feeling of hostility, but by concern for general interests closely connected with the special interests of the States to which these provisions apply.

"Moreover, I think it my duty to state that the Greek Government is quite ready to grant to Moslems resident in Greece exactly the same guarantees as those which will be granted to minorities in Turkey.

"Unfortunately the declarations made to-day by Ismet Pasha are somewhat disappointing.

"The exchange of populations is not, as Ismet Pasha believes, a means of settling the question of minorities. If this procedure were to be definitely adopted there would, nevertheless, remain in Turkey after its application elements of foreign nationality—Greek and Armenian, for instance—which would constitute ethnical minorities. Moreover, an exchange of populations of the kind contemplated by the Ottoman delegation cannot be regarded as humane. When 1,600,000 Greeks are expelled to make room for 350,000 Turks it is not a fair exchange of populations.

"Ismet Pasha has tried to persuade the Powers that they should cease to take an interest in the fate of the minorities in Turkey to whom, according to him, Ottoman legislation offers sufficient guarantees. But Turkey cannot claim a privileged position in this respect as compared with all the Powers which have undertaken international engagements for the protection of minorities. The Ottoman delegation would thus disown a principle openly accepted by the Angora Assembly on condition of reciprocity. It is also worthy of note that the Powers, when they invited Turkey to cease hostilities and promised to restore Eastern Thrace to her by their note of the 23rd September, laid down as a condition that special guarantees should be given for the protection of minorities in Turkey."

Mr. Child spoke as follows :—

"The American representatives intend to hold aloof from affairs not our own, but humanitarian interest is as much our right and our duty as it is the right and duty of every nation.

"We claim no particular right to be heard upon the subjects of refugees, the protection of populations and the finding of homes for those who are dislodged; instead of doing so, we assert that other nations, and particularly those represented at this table, have an equal interest and an equal duty. Because it was upon her territory that the misfortune of war fell, and from her territory that the greatest number of refugees come, Turkey may have an interest in these humanitarian questions greater than that of any of us.

"It is unthinkable that the aspirations of Turkey for independence, for progress, should not rely in part upon a generous policy of contribution to the safety and relief from suffering of mankind. The safety and relief from suffering of mankind is one of the principal concerns of Governments.

"The comfort and safety and settlement of the hundreds of thousands of human beings, most of them non-belligerents, many of them women and children, many dislodged for ever from their homes by the disturbances in the near East, is a matter which has for the people of the United States a vital interest.

"As an earnest of that interest our nationals have spent freely in the quarter of the world with which this conference is dealing, in medical attention, in the service of our naval forces, in feeding starving people and in other forms of relief, large sums of money. We have put nearly 75 millions of dollars into this work through one committee alone. The people of my country ask no return for this expenditure unless it be assurance that this conference to the full extent of its power will find means to wipe away at once the causes for this waste of human life and human suffering.

"It is useless for me to restate the problem. It is useless to give more statistics. The facts are recognised by everyone. They rebuke the world. They challenge the self-respect of civilisation. They are so stupendous that pity for individuals is lost in pity for masses. The work to be done may include any wise exchange of nationals so that as one of the results males may go back to their families and support them on their native soils. It includes the safety of other racial elements fleeing under the stress of fear and the finding of refuge for them as the wisdom and the conscience of the nations represented here may direct. It includes the finding of homes for homeless, and an international generosity in furnishing temporary feeding and transportation, and prevention of the sweeping fires of pestilence which might menace the world. It includes the requirement of guarantees of these nations which now find those homeless hordes upon their soils that they shall have protection. It includes the attempt to prevent further migrations and it is not of vast consequence, to my mind, whether migrations are started by order issued by authorities or by fear of violence.

"I do not say that the Allied Powers have avoided responsibility for the fulfilment of these ends. On the contrary, I point out that these ends have been their deep concern and the subject of their pledges.

"I point out the following few instances of such assurances which have been cited by those who seek the establishment of a refuge for Armenians :—

"The text of the Treaty of Sèvres.

"The statement of the Secretary of State for Foreign Affairs of Great Britain made in the House of Commons on the 11th March, 1920.

"The statement of the Prime Minister in the House of Commons on the 29th April, 1920.

"The letter of M. Poincaré, President of the French Republic, to the Armenian Archbishop of Cilicia, the 16th February, 1919.

"The resolutions of the Supreme Allied Council, the 8th March, 1921.

"The resolutions of the Allied Ministers for Foreign Affairs, the 26th March, 1922.

"The resolutions of the League of Nations on the 22nd September, 1922.

"I do not say that the Turkish delegation and the National Assembly will fail to act in accordance with that tolerance and justice and concession which the United States and the whole world expect and may righteously require.

"But I urge on behalf of the people of the United States that this conference will never leave Lausanne without providing some means for permanent joint labours to find refuge for unprotected hordes and to create, if possible, safe territorial refuges for special populations if it be determined that they require separation from other nationalities, religions or races. Above all, this conference should secure by agreement and by measures of humanitarian administration strong guarantees that safety shall attend the continuance in their present situation of populations which now are vexed by fears. We believe that new precedents which tend to establish the right of nations to expel large bodies of their citizens to become burdens upon other nations must be carefully considered before countenance is given them, lest a new and unwholesome principle find foothold to vex international law and justice.

"The representatives of the United States believe that the ends to be sought are preventive rather than mere relief, and guarantees of safety of minorities rather than mere succour to their misery, and permanence of joint action rather than mere spasmodic separate activity. In this purpose, the people of my country, though far removed by distance, have a profound interest, and will continue to stand ready with their contributions."

M. Spalaikovitch made the following speech :—

"I have listened attentively to the well-chosen pages of history which his Excellency Ismet Pasha has just read out to us, and in so doing I had the impression that I was hearing an impeachment of Tsarist Russia and an unreserved defence of the Turkey of Abdul Hamid.

"It is not my intention either to defend the former or to attack the latter, but I do wish in a few short remarks to correct a great mistake made by Ismet Pasha.

"The history of the Ottoman Empire during the last century cannot be explained by merely recounting the interventions of Russia and her agents in Turkey. Out of two factors which have had a decisive influence on the fate of the Turkey of the past, Ismet Pasha has only mentioned one—the external factor, *i.e.*, the ambitions of the Great Powers, and especially of Russia. It is a fact that during the last period of its history the Ottoman Empire was a kind of enterprise of the Great Powers. In this respect Ismet Pasha is right, but he is mistaken when he says that 'all the insurrections in the Balkans during the last century were stirred up by Tsarist Russia.' Such a statement shows that Ismet Pasha ignores the second factor, which has played a preponderant part in the destiny of the Ottoman Empire.

"This factor is the feeling of the Christian nationalities in the Balkans, who were unable to forget their national ideals. The aspirations of these nationalities were the main lever in their struggle for independence. As we know, this national feeling has played a decisive rôle in the creation of all modern States. This same national feeling also accounts for the present birth of a new, Kemalist, national Turkey.

"So much for the past. I frankly say to Ismet Pasha that between us Serbs and the Turks the century-long quarrel is settled, the historic duel finished, and that the possibility of our living henceforward on good terms, and even as good friends, will depend solely on the future attitude of the Turks.

"As regards the present, I beg Ismet Pasha's leave to address a few words to him on the minorities problem. These words will be as frank and as impartial as those which I have just uttered. This is all the easier for me, since there will be no Serbian minority in the Turkey of the future, and consequently no cause of difference between us on this point.

"Ismet Pasha must bear in mind the evolution which has taken place in the legal ideas and institutions of Europe as regards the international problem of minorities. His chief apprehension relates to the consequences of intervention by the Great Powers of former days in favour of the Christian minorities of the Ottoman Empire, which rises before him like a nightmare. First, there was the intervention of Russia alone in virtue of the Treaty of Koutchouk-Kainardji; afterwards there was the intervention of the Great Powers, especially since the Treaty of Paris. But Ismet Pasha ought to be reassured now. The days of individual or collective intervention are over. Since the last great war the minorities problem has entered upon a new phase in its legal evolution. A new set of doctrines has arisen out of the last treaties of peace, and also a practical system, of which the League of Nations is the trustee. This system has been adopted by all civilised nations, and embraces all ethnical minorities without racial or religious distinction. States such as Jugoslavia, Roumania, Czechoslovakia, &c., have submitted to it. Surely Turkey cannot exclude herself from it either. This is the minimum which she should accept if she really desires to take her place among modern States. This minimum is the new régime of universal international law which to-day applies to minorities.

"The distinguished manner in which Lord Curzon has expounded these new principles of international law proves that his proposals for the future treatment of minorities in Turkey are solely inspired by a feeling for what is equitable and humane. By agreeing to these proposals the Turkish delegation will accomplish an act consonant with the interests of Turkey and of civilisation."

Ismet Pasha said that in his previous detailed statement he had set forth the general point of view of the Turkish delegation in regard to the minorities question, and that as he had only just become acquainted with Lord Curzon's proposals, he would reserve his reply thereto for a later meeting, when he had thoroughly examined the matter.

To his mind the speeches made after his own justified the ideas and views in support of which he had cited various historical events. These examples taken from history showed how right the Turkish delegation were to lay stress on the lessons of history and how necessary it was to bear those lessons in mind in attempting to solve the minorities problem.

The statements of M. Veniselos had naturally aroused the greatest surprise in the Turkish delegation. Ismet Pasha's impression was that the exchange of populations had been proposed and upheld by the Greek delegation, and that the question had been referred in that form to a special sub-commission, which had made considerable progress in its work.

Reverting to the question under discussion, Ismet Pasha remarked that as the Turkish delegation had acquiesced in the demand for the maintenance of the Greek population at Constantinople, the proposals made would tend to react unfavourably on Turkish interests, since they would condemn several hundred thousand Turks to acute distress and expulsion from Greek territory. The pity, generosity and tolerance of the Turks always recoiled upon them to their disadvantage.

The surprise of the Turkish delegation had been still greater when M. Veniselos took the liberty to speak of the Armenians. He had doubtless lost sight of the fact that the Greek occupation of Asia Minor had been a new cause of suffering and misfortune for the poor Armenians. That unhappy people had been forcibly conscripted and incorporated in the ranks of the Greek army. The leading Armenians in Europe had eagerly besought the Greek Government not to compromise their compatriots in this way. No attention was paid to these warnings. The Armenians were sent to the front and forced to fire on the Turks. After the rout endless devastation was done, and the Greek authorities started a propaganda of falsehood with a view to putting the blame for these crimes on the Armenians. Finally, the Greeks dragged the Armenians away with them when they left Asia. It was therefore obvious that the last Government in the world which should dare to express in public its pity for the fate of the Armenians was the very Government which had been the direct cause of their misfortunes. The intervention of M. Veniselos in this matter surpassed Ismet Pasha's comprehension. The Turkish delegation desired that the question should be approached from a much broader point of view; they wished it to be known that there were over a million Turks without food or shelter in countries in which neither Europe nor America took nor was willing to take any interest. Truly humane feeling required that the situation and the existing distress should be viewed together as a single whole.

In reply to the remarks of M. Spalaikovitch, Ismet Pasha said that he had only referred to the Serbia of former times in his statement in order to demonstrate the part played by foreign Powers in the Balkans and the pernicious results of foreign intervention. The Turks had nothing but respect and esteem for national sentiment, and Ismet Pasha was inclined to regard it as one of the essential factors in the life of peoples.

The minorities still remaining in Turkey could live there on the same footing as the Turks. But it was inadmissible and inconceivable that each minority should claim to dismember Turkey in order to have a separate territory granted to itself.

The purpose of the observations which he had just made was only to reply to the statements of the Greek and Serb-Croat-Slovene delegations. He reserved for the next meeting his detailed reply to those of Lord Curzon.

Lord Curzon understood Ismet Pasha to say that he had prepared his previous speech before he had had an opportunity of reading or studying the proposals put before the conference by himself.

It had been a source of great gratification to him to see that the fairness and sincerity of his proposals had been recognised by every other speaker, not only by the French and Italian delegates, but also by those of the United States of America, Greece and the Serb-Croat-Slovene State. He hoped that Ismet Pasha would do the conference the favour of making a serious study of these proposals in the course of that evening, and deliver his considered reply at 11 o'clock on the following morning.

(*The commission rose at* 7·20 P.M.)

ANNEX TO NO. 16.

Statement read by Ismet Pasha.

AN equitable solution of the question of the minorities in Turkey could not be found without a short recapitulation being made, in the first place, of the history of the Ottoman Empire from the point of view of the treatment which has been given to elements differing from the ruling nation in religion and culture. This objective examination will clearly reveal the very old-established policy followed in regard to minorities; it will demonstrate the circumstances in which they have prospered and the conditions in which their rights and even their very existence were menaced. It is obvious that an elimination of the factors which have created obstacles in the free enjoyment of their rights and the encouragement and devolopment of those factors which have made their prosperity is the best solution that can be envisaged.

In the history of the Ottoman Empire the question of the minorities dates especially from the day of the capture of Constantinople by the Turks.

Historians are unanimous in stating that Mahomet the Conqueror granted the greatest religious and administrative liberty to the non-Mussulman communities in the conquered towns. "After the capture of Constantinople," writes a French publicist,* "the free exercise of their worship was guaranteed to the adherents of the various religions." By order of the Sultan a new Patriarch was elected, George Scholarius, to whom Mahomet II said when crowning him with the tiara: "Be Patriarch and may heaven protect thee! In any event rely on my friendship and enjoy all the privileges which your predecessors possessed." Mahomet had nominated as Armenian Patriarch Der Ovaghim with the most extensive power over all his co-religionists. Mr. Philip Marshall Brown, professor of international law at the University of Princeton, referring to the liberal policy of Mahomet II in his work, entitled, "Foreigners in Turkey, their legal status," writes as follows: "His idea was extremely simple. He aimed at allowing the Greeks, so far as it was practically possible, the free enjoyment of their own customs and laws under the responsible control of their own Patriarch, who should serve as intermediary or Ambassador in relation to the sublime Porte.

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* Ed. Noguères, "Arménie," p. 86.

Within the three days which followed his triumphal entry into the capital, Mahomet invited the fanatical monk Scholarius to occupy the Patriarchal throne. The Sultan himself was present in state at the investiture of the new Patriarch, on whom he conferred in his capacity of spiritual successor of the Greek emperors the obsolete title of Millet Bachi (Head of the Nation). At the same time he granted to the Patriarch and his successors an almost unlimited jurisdiction over Greek nationals. Unfortunately Mahomet's original *berat* confirming these extraordinary privileges has disappeared. Several successive Sultans, however, implicitly reaffirmed it, and, save for certain curtailments which were inevitable in the course of four centuries and more, these exceptional powers continue to be exercised by the Greek Patriarch, as also by the heads of other religious communities who received the same concessions later . . . . The essential fact is that the Turks in the midst of a great triumph spontaneously and generously recognised the right of the conquered to govern themselves, after their own laws and customs, in matters held sacred by the Mussulmans as well as in matters which were not of vital importance to the State. It is therefore evident that this tolerant policy was not at all in antagonism with the spirit or the letter of Islam. In fact it was in complete harmony with Mussulman jurisprudence and strikingly refutes the universal reputation for intolerance so unjustly attributed to the Turks."

It is this striking tolerance which caused Voltaire to say: "Let us leave our small sphere and examine the rest of the globe. The Grand Turk peacefully governs twenty peoples of different religions; 200,000 Greeks dwell in security at Constantinople. . . . Turkish annals make no mention of any revolt raised by any of these religions. Go to Judea, Persia, Tartary and you will there see the same tolerance and the same tranquillity. . . . Under Selim and under the other Sultans, especially Suleyman, the Turks have taught Christians moderation in war and mildness in victory."*

The witness of history therefore shows incontestably that the rights of minorities, which it is sought to assure in the 20th Century under the guarantee of the League of Nations, were spontaneously accorded to the non-Mussulman elements of the Ottoman Empire.

In spite, however, of the preservation of the rights of minorities, the cordial relations between the Mussulmans on the one hand and the different non-Mussulman communities on the other have undergone successive changes, especially since the beginning of the 18th Century; the good understanding which had existed up to then began to give place to a mutual distrust and the unhappy events which resulted from it caused much suffering to the majority as well as to the minorities.

These occurrences had their origin in the first place in foreign instigations which aimed at working for the downfall of a great empire which the incessant attacks of malevolent neighbours had already appreciably weakened.

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* Michelet, "Histoire de France," chapter "Soleiman sauve la France

It is known that Peter the Great had long resolved upon the programme which his successors were to act upon in regard to Turkey. "Approach," he said "as close as possible to Constantinople and India; he who reigns there will be the real sovereign of the world. Therefore stir up continuous wars now against the Turks, now against Persia, establish dockyards on the Black Sea in order gradually to obtain the mastery of that sea. Interest the house of Austria in expelling the Turk from Europe and neutralise their jealousy at the time of the conquest of Constantinople either by provoking a war for them with the old European States or by giving them a part of the conquest which will be taken from them later."

Intervention in the name of the Christian religion furnished Tsarist Russia with one of the best pretexts for "stirring up continuous wars against the Turk." This pretext, which was destined to play one of the most important rôles in the future relations of the two empires, found its basis in the Treaty of Kutchuk Kaïnardja, concluded in 1774 between Abdul Hamid I and Catherine II. The right of protection over the vassal principalities of Moldavia and Wallachia, which Russia obtained in virtue of this treaty, provided her henceforward with a plea for claiming to assume the rôle of protector of all the Orthodox Greek populations in the Ottoman Empire. "Community of race with the majority of Christians in the Balkans. community of religion with all, the right recognised by treaty, gave to Russia a moral prestige, a position of official protection which she long used in her ambitious designs on the Straits."

The very liberality of the Ottoman Empire towards its non-Mussulman subjects was thus turned against it. "The Christians, enemies of the Ottoman State, remained organised in national communities ready for revolt; they were officially protected by a great European State hostile to the Empire which was not restrained by international law."* "The interpretation which the Tsar (Alexander) gave to the Treaty of Kaïnardja encouraged him to push his claims further and to pose as mediator between the Ottomans and the entire mass of their Christian subjects. He had, he believed, a mission to protect these latter and in case of need to deliver them."†

All the insurrections which took place in the Balkans at different times in the 19th century were kindled by Tsarist Russia.

Without going back to the first attempts made by the Russians to incite insurrections in Turkey, and without now dwelling on the activities of Orloff, the favourite of Catherine II, aimed at urging the Greeks of the Morea to revolt, activities which cost so many innocent lives among the Mussulman and Christian populations, notably in the massacre of Misistra* and the reprisals which it provoked, it would serve to begin with the Greek insurrection of 1821.

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* Ch. Seignobos, "Histoire politique de l'Europe contemporaine," p. 589.

† Lavisse and Rambaud, "L'Histoire générale," vol. X, p. 167.

It is a notorious fact that the leaders of the Hellenic propaganda and also the secret society known as "Hetairia ton philicon" were particularly befriended by Russia. This society had for its object the establishment of "armed union not only between all Greeks, but all Christians in the Ottoman Empire to secure the triumph of the Cross over the Crescent."† "The Phanariot princes were loaded with his (Alexander I) favours. The old Hospodar of Wallachia, Constantin Ypsilanti, had taken refuge in Russia. Two of his sons, Alexander and Demetrius, who were to give the signal for the Greek revolution in 1821, were his *aides de camp*. Capo d'Istria, a native of Corfu, devoted like them to the emancipation of his country, was at the time his favourite Minister. "The Tsar had not prevented this statesman accepting the presidency of the 'Philomuses Society,'‡ a society which, as opposed to the Hetaerea, concealed its political designs under a purely literary programme."§ "Moreover, he had permitted the Hetaerea to establish its headquarters in Russian territory, and it was from Odessa that, under the friendly eye of his police, the Greek Skouphos, the founder of this association, sent his orders to his first assistants."‖ "Alexander feigned to ignore the existence of this association, which had representatives even among his entourage. But he knew all about it and favoured it to such an extent that, at the end of 1816, Skouphos had been able, unperturbed, to move the seat of his operations to Moscow."¶ To bring into bold relief the complicity of the Russian Empire in the Greek revolution, we could not do better than quote the following passage of M. Débidour :—

"It could not be doubted that the Tsar and his Minister, Capo d'Istria, were the prime movers of the insurrection which occurred at this very moment throughout the whole Balkan Peninsula. It was remembered that Russia had kept up for five years an open quarrel with the Porte in regard to certain doubtful or contested stipulations in the Treaty of Bucharest. It was not overlooked that the Greek Hetaerea had in the last few years formidably developed in Russia; this fact was compared with the journey which Capo d'Istria had made to the Ionian Islands in 1819 and the troubles which resulted from it; it was also known that emissaries from the Greek nation had come nearly two years ago to request the Tsar to appoint a leader and give the signal for insurrection. It was patent that Alexander Ypsilanti, a general in the Russian service, who had proceeded to Kichenew in July 1820 to organise his attack against the Ottoman Empire, had only been able to leave St. Petersburg and devote himself to his preparations for war with at least the tacit consent of the Emperor. Had he not, moreover, written in his first proclamation these significant lines: 'If some desperate Turks made an incursion into our territory, fear nothing, for a great Power is ready to punish their insolence.' Altogether it appeared that Alexander, with great machiavellianism, had wished to take advantage of the moment for laying his hands on the East, when the Powers interested in preventing it would be too busy with troubles in the West."*

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* "In the Morea, the Mavromichalis and Bemakis advised the Russians to take Coron in order to assure a stronghold for the insurrection. The parties concerned did not even await this first operation. All the Greek States took fire at once. Psaros organised the Spartan legions. Reinforced by some hundreds of Russians under the orders of Barkof, they marched on Misistra (Sparta). Everywhere the terrified Turks fled crying, 'They are not Greeks, but Muscovites.' When the Russians could not restrain their fierce allies of Maïna, excesses were committed; at Misistra, the town was pillaged, some inhabitants massacred and children thrown down from the top of minarets . . ." (Lavisse and Rambaud, vol. VII, p. 493.

† Lavisse and Rambaud, vol. X, p. 166.

‡ Lavisse and Rambaud, vol. X, p. 167.

§ Lavisse and Rambaud, vol. X, p. 165.

‖ Lavisse and Rambaud, vol. X, p. 167.

¶ Lavisse and Rambaud, vol. X, p. 170.

The troubles and massacres which were caused by the activity of this revolutionary association under the command of Alexander Ypsilanti in the principalities and under the direction of leaders of bands in Thessaly, in the Morea, in Macedonia, &c., are too well known. In a work dedicated to Lord Curzon of Kedleston, an English historian, describing among other things the revolt of Patras, expresses himself as follows: "This revolt, which soon spread over the whole of the Morea, had a terrible character. It aimed at the entire destruction of the Mussulman populations and the seizure of their property. The chorus of a popular song said: 'Away with the Turks from the Morea, away with them from the whole world.' The Turks fled for refuge either to Tripolitza or to the fortified places on the coast."†

It is easy to prove the same policy of Russian provocation in the insurrections which took place in Bosnia and Bulgaria from 1849 to 1851,‡ as well as in those of Bosnia and Herzegovina in 1875. With regard to the latter, in particular, there is occasion to notice the reconstitution of the old brotherhood of Cyril and Methodius, formerly dissolved by Nicholas, which proposed the amelioration of the lot of Christians in the East and their liberation. It had most openly expended its resources in Bulgaria, Montenegro, Bosnia, Herzegovina; money for churches, books for schools came from its agents. In constant touch with the consular agents, it did not leave its dependants unaware of the successes of Russia at the Conference of London and the revision of the Treaty of Paris. Finally, when in 1870 the Bulgarians had obtained, thanks to the intervention of Ignatief, Ambassador at Constantinople, the right of choosing an exarch and the autonomy of their Church, it appeared to all the oppressed [?] that the Tsar had regained his power: the old hopes were awakened. At the end of 1874 the action of the Russian agents became the more energetic, since Austria, in signing treaties of commerce with Serbia and Roumania, without requesting the ratifications legally necessary from the Sublime Porte, appeared to herald a new policy and seemed to be seeking to gain the friendship of the young Balkan States to the detriment of Russian influence.*

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* Débidour, "Histoire diplomatique de l'Europe," vol. I, p. 156.

† Oscar Browning, "History of the Modern World," p. 78.

‡ See Lavisse and Rambaud, vol. XI, p. 196.

"It was the period of pan-Slavism; many Russians, even the immediate entourage of the Tsar, dreamed of the reunion of all the Slavs in one Empire. The first result of it was to be the annexation of the Slav States in the Balkans and Russian domination over the greater part of the Balkan Peninsula . . . .; whilst the pan-Slavonic propaganda roused and maintained agitation among the Christian populations of Turkey, the Russian Ambassador at Constantinople, General Ignatief, openly encouraged all the enterprises, often indiscreet, of the missionaries of Great Russia."†

It is also known how Russia took an active part in these insurrections by causing one of her generals, Tchernaief, to pass into the service of the Principality of Serbia with many volunteers and Russian officers.‡

"Whilst the Tsar and his Chancellor sought, together with the Austrian and German Governments, the means of re-establishing peace and preserving it, men, arms, munitions and more than 20 millions of money were sent from Russia to Serbia, Montenegro and the provinces mentioned above."§

The Bosnian insurrection had not failed to have its repercussion in Bulgaria, the more so since the intervention of the Powers in favour of the insurgents had inspired among the Bulgarians the hope of liberation long promised by Russian agents.

Furthermore, a rising which took place in April 1875 at Strielitza occasioned repressive measures on the part of the Ottoman authorities which, thanks to a campaign of interested propaganda, were represented in Europe under an aspect entirely different from the real position.

In fact, the real import of these events, which had furnished Mr. Gladstone with the opportunity of loosing his celebrated "bag and baggage" campaign against the Turks, is described in the following words of Sir Henry Layard, extracted from one of his despatches to Lord Derby:—

"The English people cannot, perhaps, yet bear to hear the truth of the events of last year, but it is my duty to state it to your Lordship. The marvellous ability shown by Russia and her agents in misleading public opinion in England and elsewhere has been amply rewarded. It will probably be long before that which is true can be separated from that which is false; when history does so, it will be too late. The Porte has taken no effective means to place its case fairly before Europe. It neither employs the press nor competent agents for such purposes. [Its appeals to the Powers, and the State papers that it issues to refute the charges against it are so prepared that they are more calculated to injure its cause.*] A great portion of the English public are, probably, still under the impression that the statements upon which the denunciations against Turkey were originally founded are true: the 60,000 Christians outraged and massacred; the cartloads of human heads; the crowd of women burnt in a barn; and other similar horrors. There are persons, and amongst them, I grieve to say, Englishmen, who boast that they invented these stories with the object of 'writing down' Turkey, to which they were impelled by a well-known hand. People in England will scarcely believe that the most accurate and complete enquiries into the events of last year in Bulgaria now reduce the total number of deaths to about 3,500 souls, including the Turks who were, in the first instance, slain by the Christians. No impartial man can now deny that a rising of the Christians, which was intended by its authors to lead to a general massacre of the Mahommedans, was in contemplation, and that it was directed by Russian and pan-Slavist agents."

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* Lavisse and Rambaud, vol. XII, p. 424.

† Collas, "Histoire de l'Empire ottoman," page 179.

‡ Lavisse and Rambaud, vol. XII, p. 428.

§ Lavisse and Rambaud, vol. XII, p. 430.

The memoirs of Sir Henry Elliott, British Ambassador at Constantinople from 1867 to 1877, confirm the same truth. They also attest that in the events in Bulgaria the Christians were always the aggressors; that they cowardly massacred the Zaptiehs and burnt the Turkish villages; that it is not true that the Turks punished the guilty and the innocent without distinction; that although the British Ambassador possessed no authority to pronounce upon facts relating to the internal order of an Ottoman vilayet, Gladstone did not hesitate to profit by the occasion for political purposes just as if the revolt had taken place on British soil and that the escape of the culprits had entailed his own responsibility, and, finally, that he did not even once mention the fact that the Moslems only proceeded to reprisals after they saw themselves menaced by extermination.

If other admissions are required with regard to this alleged Turkish cruelty, reference could be made to the memoirs of Nelidof, counsellor of the Russian Embassy at Constantinople, published in the number of the "Revue des Deux Mondes," dated the 15th May, 1915: "A powerful movement of public opinion was produced in Europe in favour of the Christians. Foreign correspondents, including Americans, went to visit the spot to see the havoc perpetrated and the traces of the barbarous deeds of the Turks. Serbia and Montenegro took the opportunity of also rising against Turkey and declaring war on her, which Russian public opinion, inflamed by the Slav committees, morally supported. General Ignatief gave a push to the wheel, hoping in this way to escape from the inextricable situation in which the march of internal events in Turkey had placed him. I was then very sympathetic with his method of procedure, being convinced that everything reported was the truth. It was only later that I learnt what exaggeration there was in the alleged unanimous movement of the people of Herzegovina, in the Turkish atrocities and in the reputed impartial reports of MacGuyan, the correspondent of the 'New York Herald,' and Schuyler, the United States consul, whom Ignatief had sent to Bulgaria accompanied by Prince Tzeretlew, who made them see and write what he wanted, or rather what he was ordered to instil into them. He acknowledged this himself later."

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* Note.—The passage in brackets appeared in the original despatch.

To finish our historical sketch of disturbances which the non-Mussulman communities have experienced in their relations with the Turks since the 19th Century, disturbances which, as we have seen, originated not from Turkish intolerance or persecution, but rather from political causes independent of the will of Turkey, there only remains the lamentable Armenian question.

Up to the middle of the 19th Century the Armenians had lived at peace and at full liberty in Turkey.

Sir Charles Wilson, in his article on Armenia,* when speaking of the privileges accorded to the Patriarchate, admits that this *imperium in imperio* secured to the Armenians a position recognised by law, the liberty to practise their religion, the possession of their churches and monasteries, the right of freely educating their children and that of managing their municipal affairs. It thus encouraged the growth of a community life which eventually gave birth to an intense longing for national life. . . . Under regulations approved by the Sultan in 1862 the Patriarch remained the official representative of the community, but all real power passed into the hands of clerical and lay councils elected by a representative assembly of 140 members. The "community," which excluded Roman Catholics and Protestants, was soon called the "nation," domestic became "national" affairs, and the "representative" the "national" assembly.

As a result of their proper and legal attitude the Armenians had secured the confidence of the Turks, who had entrusted to them important posts in the administration of the country. They had obtained the name of Milléti Sadika (Faithful People), in contradistinction to the Greeks whose turbulence during previous years had caused such great trouble to the Ottoman State.†

Russia had already begun to perceive the insufficiency of her Græco-Slav connection and wished to gain, in addition, the aid of this people, till then pacific, both for the purpose of giving the final blow to Turkey and for preparing a favourable ground for her designs on the eastern provinces of Asia Minor, where this people comprised a considerable part of the population.

Through the intermediary of the Catholicos of Echmiadzin (the supreme religious authority of the Armenians having his seat in Russia), Russia therefore induced the Armenian intellectuals in Russia to create an anti-Turkish current of feeling among their Russian and Ottoman conquerors.

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* "Encyclopædia Britannica."

† "When Abdul Hamid came to the throne of Turkey the condition of the Armenians was better than it had ever been under the Osmanlis; but with the close of the war of 1877–78 came the Armenian question." ("Encyclopædia Britannica.")

This move, prepared long beforehand, had it first results when in 1876 the Patriarch Nerses Varzabedian sent a delegation to the Russian generalissimo at San Stefano to request from him, in an official memorandum, the independence of the provinces of Asia Minor inhabited by Armenians, or at least the establishment of Russian control over those regions. It is true that the Treaty of Berlin and the Convention of Cyprus had deprived Russia of the claim to exclusive protection which she reckoned to be able to base on stipulations inserted in the Treaty of San Stefano regarding reforms in favour of Armenians. But the fact of a collective protection being substituted in the place of Russian protection did not in any less degree encourage the Armenians to provoke incidents for the purpose of leading to the intervention of the Great Powers. It is this essential feature which characterises the whole Armenian movement of insurrection since the Treaty of Berlin.

"Societies were formed at Tiflis and in several European capitals for the circulation of pamphlets and newspapers, and secret societies such as the Huntchagist were instituted for more revolutionary methods. An active propaganda was carried on in Turkish Armenia by emissaries who tried to introduce arms and explosives and represented the ordinary incidents of Turkish misrule as terrible atrocities."*

The end which the Armenian revolutionary societies had in view is shown in all its hideous reality in a letter from Dr. Hamlin, the founder and the first president of Robert College at Constantinople. This letter is published in the "Boston Congregationalist Journal," and dated the 23rd December, 1893. "A very intelligent Armenian gentleman," he writes, "who speaks fluently and correctly English as well as Armenian, and is an eloquent defender of the revolution, assured me that they had the strongest hopes of preparing the way for Russia's entrance to Asia Minor to take possession. In reply to the question how that would be done, he replied: 'These Huntchagist bands, organised all over the Empire, will watch their opportunities to kill Turks and Kurds, set fire to their villages, and then make their escape into the mountains. The enraged Moslems will then rise and fall upon the defenceless Armenians and slaughter them with such barbarities that Russia will enter in the name of humanity and Christian civilisation and take possession.' When I denounced the scheme as atrocious and infernal beyond anything ever known, he calmly replied: 'It appears so to you no doubt, but we Armenians are determined to be free. Europe listened to the Bulgarian horrors and made Bulgaria free. She will listen to our cry when it goes up in the shrieks and blood of millions of women and children.'"†

The memorandum relating to the origin and tendencies of the Armenian movement which Sir P. Currie, British Ambassador at Constantinople, addressed to the Foreign Office in his despatch of the 28th March, 1894, is still more edifying: No. 3 of this report literally states the following: "The immediate aim of the revolutionists has been to incite disorder, bring about inhuman reprisals and so provoke intervention of the Powers in the name of humanity. Hence the field chosen for their operations is not the district where Armenians are most numerous, but a region where the Armenian element is overwhelmingly outnumbered by the Moslem element of the population."*

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* Sir Charles Wilson, "Encyclopædia Britannica."

† "Blue Book," No. 6 (1896), p. 39.

The report of Mr. Graves, British Consul at Erzeroum, dated the 28th January, 1895, is equally interesting. In enumerating the different Armenian parties, he says: "A Moderate Liberal Party, comprising a majority of the business, professional and scholastic, classes, together with the best of the higher clergy, whose views, although too liberal to allow them to be really contented with the present position of Christians under Turkish rule, could not be called actively disloyal. They were generally quite alive to the material impossibility of constituting an independent Armenia, as well as to the danger of ultimate denationalisation that perhaps awaited them in case of annexation by Russia; it was therefore their aim to avoid precipitating any violent solution of the Armenian question, and to maintain the Armenian element as such, by strengthening and developing the national church and schools, which enjoyed greater freedom under Ottoman than under Russian dominion; at the same time, they placed their hopes for the future in the ultimate introduction of those administrative reforms which have been so often promised by the Porte.

"A small but active revolutionary party, but scantily represented within the Turkish Empire, as it is largely composed of young Armenians who have studied abroad and have fallen under the influence of Socialist or Nihilist propaganda, to whom may be added a certain sprinkling of political exiles and refugees, but still comprising some of the more restless spirits among the Armenians of Turkey, who are ready to assist their comrades abroad in endeavouring to realise their projects. The most prominent organ of this party for some time past has been the journal 'Hindchak,' published first at Geneva and subsequently at Athens by a group of agitators, to whom almost all the Armenian disorders of the past few years can be traced, and it may be more convenient to refer to this party in general as the 'Hindchak' group.

"Their object has plainly been, by creating an appearance of widespread disaffection, quite out of proportion to their numbers and influence to provoke reprisals on the part of the Turkish Government and people, of a nature to draw the attention of the Powers to the imaginary† grievances of the Armenian nation, and the necessity for their redressal. In this, it must be admitted that they have been ably seconded by the action of the Turkish authorities themselves in the provinces chiefly concerned. Their policy appears to be merely destructive, and so long as they can upset the present régime, they seem indifferent as to what shall replace it; at least I am not aware of their having formulated any alternative scheme of government.

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* "Blue Book," No. 6 (1896), p. 57.

† Note.—The word used in the original report is "manifest."

"Careful enquiry and observation have driven me to the conclusion that the events of the last six months, coming at the end of a period of ever-increasing misgovernment and persecution, have created a complete revolution in Armenian opinion.

"The 'Hindchak' group may be first disposed of. It may be taken for granted that they are satisfied with the results of their agitation; its great object, namely, to arrest the attention of Europe, has been attained, whether through their own machinations or by the fault of Turkish officials, and it will be well for all concerned if they cease from further agitation, which has become purposeless, and would only serve to justify the severities of the Government."*

Unfortunately these agitations and provocations did not cease; everywhere the Mussulmans were massacred only to provoke the massacre of Armenians. The agitators met with no disapproval in the European capitals where their committees prepared their criminal plans. We still see a year afterwards the British consuls complaining to their Government of the misdeeds of the revolutionaries. In a despatch of the 4th March, 1896, which Mr. Williams addressed to Sir P. Currie, he forwarded to him a manifesto recently published by the Tashnak revolutionary party. The British vice-consul at Van says among other things: "This society numbers about 400 members in Van, and together with the Huntcheks, who probably do not number more than fifty, they terrorise over their countrymen, and by their outrages and folly excite the Mahommedan population and render nugatory all efforts to carry out reforms. I am firmly convinced that if they could be put down, or even kept quiet, one of the greatest obstacles to security in this district as, probably, all over Anatolia, would be removed. I have pointed out to the Armenian bishop here the danger of in any way alienating the sympathies of Europe, and that policy and duty should alike lead him to use all his influence to keep these anarchists in check. Since our conversation, I understand that he has been doing his best, and as the bulk of the Armenian population entirely disapproves of these people, I have hopes for the future. The more I learn of the past events and present state of this province, the more clearly I see that the criminal actions of these societies have been largely responsible for the terrible scenes enacted here and all over Anatolia, &c."†

Europe, without seeking to extinguish these Armenian centres of agitation, which caused the blood of innumerable innocent persons to be shed, thought of causing reforms to be introduced in Turkey. Indeed, "On the 11th May, 1895, the three Powers presented to the Sultan a complicated scheme of reforms which was more calculated to increase than to lessen the difficulties connected with the government of Armenia. But it was the only one to which Russia would agree. . . .''*

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* "Blue Book," No. 6 (1896), pp. 222 and 223.
† "Blue Book," No. 8 (1896), p. 108.

The responsibility for all the calamities to which the Armenian element was exposed in the Ottoman Empire falls, therefore, upon their own deeds, the Turkish Government and people, in every case and without exception, only having had recourse to repressive measures or reprisals and that only after they had exhausted all their patience.

The occurrences in Adana in 1909, the successive insurrections in the majority of the Turkish provinces at the beginning of the world war form the sad continuation of the same tragedy.

It follows from the facts and the preceding evidence that the Turks have never failed to acknowledge the rights of the non-Moslem elements so long as the latter did not abuse the generosity of the country in which they lived in comfort for centuries. The example of the Jewish community, which has not up to the present had to complain of any inhumane act on the part of the Turkish Government or people, would suffice to show that the blame for the distressing events in the case of the Greeks and the Armenians falls entirely upon themselves.

General Mayewsky, consul-general for the Russian Empire at Van, in a secret report addressed to the Russian General Staff, makes the following statements : ''The responsibility for the insurrections breaking out from time to time in the East has always been cast upon the Turks and in part upon the Ottoman Government. . . . . The truth of the matter is, nevertheless, that these do not originate from any acts of oppression on the part of the Turks but from the too liberal attitude of the Sublime Porte in the matter of religion and nationality. The Turks have never interfered with affairs of this kind in relation to the peoples under their rule. The Christian schools and churches have never had to submit to any control. This system of government has given rise to an excessive development of the religious and national sentiments of non-Mussulman communities. The idea of fomenting troubles at any cost with a view to provoking the intervention of Europe is never out of the mind of Christians in Turkey. And this is very natural, as the example of the liberated Greeks, Roumanians, Serbs and Bulgarians is there to prove its efficacy.''

A most important avowal is furnished by M. Chedo Mijatovitch, formerly Serbian Minister in London and Constantinople. Writing in the ''Asiatic Quarterly'' (October 1913), after Serbia had realised her ''aspirations,'' he says in regard to Turkey : ''Political interest made us, the Balkan nations, paint the Turks as cruel Asiatic tyrants incapable of European civilisation. An impartial history would prove that the Turks are rather Europeans than Asiatics, and that they are not cruel tyrants but a nation loving justice and fairness, and possessing qualities and virtues which deserve to be acknowledged and respected.''

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* Sir Charles Wilson, ''Encyclopædia Britannica.''

We wish to quote as a final testimony that of M. Politis, formerly Minister for Foreign Affairs in the Veniselos Cabinet and delegate of the Greek Government at the Peace Conference.

M. Politis, in an article which appeared in the January 1914 number of the "Revue politique internationale," declares, in discussing the condition of the Greeks in Turkey: "Under any foreign rule their interests (that is, those of the Greeks in Turkey) could not find a protection equal to that which the Turkish régime offers them."

History teaches us then not to lose sight of two principal factors in the question of minorities :—

1. The external political factor consisting of the desire nourished by certain Powers to interfere in the internal affairs of the country under the pretext of protecting minorities, the intervention thus aimed at being realised, especially by preliminary provocations and the incitement of disorders.

2. The internal political factor, that is to say, the desire of the minorities thus encouraged to liberate themselves in order to constitute independent States.

The sufferings of the minorities in Turkey being caused by these two elements, it is obvious that the amelioration of their lot, in so far as this is really desired by the Allied Powers, depends entirely upon the neutralisation of the action of those very factors.

As regards the first point, it must of necessity be admitted that the minorities ought in the first place to be deprived of any political protection whatever other than that which is guaranteed to them by the laws of the country. As M. Clemenceau justly remarked with reference to guarantees of the Powers on behalf of the rights of minorities: "Experience has shown that this was in practice ineffective, and it was also open to the criticism that it might give to the Great Powers either individually or in combination a right to interfere in the internal constitution of the States affected, which could be used for political purposes."*

The present organisation of the League of Nations does not, in spite of the opinion of the French statesman, appear to be such as to avoid this serious defect. In fact, although the ulterior examination of questions concerning minorities may be within the province of the International Court of Justice, as every member of the Council of the League of Nations has the power of raising these questions, nothing would prevent Powers having designs on Turkey from secretly inciting the minorities and, profiting as formerly by the troubles which would result from it, provoking the intervention of the League.

Furthermore, the elimination of an official intervention would still be ineffective in rendering certain minorities inaccessible to provocations from outside. The last campaign of devastation and carnage intermingled with all kinds of abominable crimes has demonstrated the aggressive designs of Greece on Turkish Asia Minor.

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* Letter from M. Clemenceau, president of the conference at Versailles, addressed to M. Paderewsky the 24th June, 1919, forwarding the final draft of the treaty of peace.

Could the enlightened conscience of civilised peoples agree to a solution which would be the source of innumerable difficulties?

Should they allow, to the great detriment of the peace of the world, Moslem or Christian populations to tear themselves to pieces for nothing but the advantage of political interests?

The exclusion of this element of provocation would only be possible by first of all rendering the non-Moslems in Turkey inaccessible to agitations from outside. To that end the most radical and humane remedy would consist in the exchange of the Christian populations of Turkey against the Moslems of neighbouring countries, especially against those of Greece, who, like the Turks of the Morea and Thessaly, are confronted with certain extermination. The exchange of populations effected under the convention concluded at Adrianople between Turkey and Bulgaria on the 2nd/15th November, 1913, as well as the negotiations entered upon for the same purpose between Turkey and Greece in 1914, form valuable precedents which deserve to be followed in this connection.

As regards the internal political factor, that is to say, the natural desire of minorities to free themselves, there is occasion to observe that the Ottoman Empire, reduced to essentially Turkish provinces, no longer contains any minority which can form within it an independent State. Until the principle of nationalities receives an equal application everywhere, separatist movements, designed to liberate parts of the Ottoman Empire containing a considerable number of non-Turkish inhabitants, could perhaps be justified. The situation is entirely different to-day. Just as the Greeks established at Marseilles could not reasonably think of creating there an independent Greek State or of annexing it to their mother-country; in the same way the Greeks or Armenians in Turkey could not legitimately desire the same thing in Turkey.

The Turkish State, conscious of its right of preservation, would not hesitate to act, like any independent State, when faced with attacks directed against its existence.

Would not the material impossibility of forming a separate Government induce the minorities who remained unaffected by the application of the measures for reciprocal exchange to keep to the path traced out for them by wisdom and the sanest logic?

An affirmative reply could be given to that question as regards the Hellenic Greeks exchanged against the Moslems in Greece. Indeed, as regards the Armenians, the friendly relations and neighbourly feeling consolidated by the treaties between Turkey and Armenia exclude the possibility of any provocation whatever on the part of the Armenian State. Besides, those Armenians who decide to remain in Turkey must already have recognised the unavoidable necessity of living as good citizens. As for the Jewish community, the spirit of loyalty which it has always shown to the Turkish Government leads to the presumption that its members will continue peacefully to collaborate with their Turkish fellow-citizens for the betterment and prosperity of the country.

To sum up, the delegation of the Grand National Assembly of Turkey are of opinion—

1. That the amelioration of the lot of the minorities in Turkey depends above all on the exclusion of every kind of foreign intervention and of the possibility of provocation coming from outside.
2. That this purpose can only be effected by first of all proceeding to an exchange of the Turkish and Greek populations.
3. That the best guarantees for the security and development of the minorities remaining after the application of the measures for reciprocal exchange would be those supplied both by the laws of the country and by the liberal policy of Turkey with regard to all communities whose members have not deviated from their duty as Turkish citizens.

No. 17.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Fourteenth Meeting, December 13, 1922, *at* 11 A.M., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Spalaikovitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

British Empire.

Sir William Tyrrell.
Mr. Ryan.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. Bullard.
Mr. McClure.

France.

M. Fromageot.
M. de Lacroix.
M. Laporte.
M. Bargeton.
M. de Percin.
M. Barois.

Italy.

M. Arlotta.
M. Guariglia.
M. Salem.

United States of America.

Mr. Amory.
Mr. Dwight.

Japan.

Mr. Nagaoka.
Mr. Tani.
Mr. Kobayashi.

Greece.

General Mazarakis.
M. Dendramis.
M. Politis.
M. Theotokas.
M. Michalopoulos.

Roumania.

M. Contzesco.
Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Antitch.

Turkey.

Munir Bey.
Vali Bey.
Yahya Kemal Bey.

Shukri Bey.
Hussein Bey.
Lieut.-Col. Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.
Mr. Wicks.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Rechid Safvet Bey.

Interpreter: Lieutenant-Colonel Heywood.

Ismet Pasha hoped that the discussion begun on the previous day regarding minorities in Turkey would arouse to an equal degree both the interest and also the feelings of justice and humanity of the civilised world; he also hoped that people would be guided by those feelings in forming their conclusions on the present situation.

It was not only certain minorities who had endured in Turkey during the past eight years calamities and sufferings worthy of profound and universal pity, but also all elements of the population without exception, in fact, the whole nation, including the majority.

Even if the last four years only were taken into account, it would be seen that after the Turkish nation had been completely disarmed and deprived of the resources which international law placed at the disposal of nations desirous of peace, its frontiers were violated on all sides; that all sections of the population were armed and encouraged to attack their fellow-countrymen; and that all the reactionary, mediæval elements in the country were roused against the intellectual and enlightened classes.

M. Haccius and M. Guénod, delegates of the International Red Cross Committee, returned a month ago from a journey to Anatolia, and their report appeared in the November number of the International Red Cross Review. In that report they spoke of the Greek devastations as follows:—

> "Since 1918 we have both witnessed many calamities, but we have never had to undertake a mission more painful than this pilgrimage through these ruins; nor have we ever known a sadder sight than that of the inhabitants, in whose appearance terror and stupor were still evident. Involuntarily, our thoughts wandered back towards Pompeii and Messina; but the annihilation of these cities was due to natural causes, whereas, according to eye-witnesses, the destruction of the little towns of Anatolia at a considerable distance from the front was carried out methodically by 'Christians' in the midst of the twentieth century. People in Europe may talk of military necessity; but so far as we are concerned, we could never conscientiously admit such an explanation."

Ismet Pasha added that the Greeks had recently destroyed in Western Anatolia 27 large towns, 1,400 villages and 98,000 houses. The enumeration had not yet been completed, also the lists of reparations were not yet ready.

The purpose of the Turkish delegation in recalling these events was only to restate the fact that the indescribable calamities which had fallen on the peoples of the East were ultimately due to the prolongation of the war.

For the various elements of the population which had allowed themselves during the war to be drawn towards some Power or group of Powers there was only one way to recover their former prosperity and to enjoy the benefits created by good feeling between citizens of the same country, namely, to return to a state of peace.

The Turkish Government had constantly, and with great per-severance, made every effort to obtain for the inhabitants of Turkey the blessings of peace. It hoped that with a view to putting an end to the sufferings of the peoples of the East, this desire for peace might be equally strong among all the parties concerned.

The historical review of events which he had read at the previous meeting of the commission was intended to indicate the point of view of the Turkish delegation. That view was based on their legitimate desire to prevent minorities in Turkey becoming weapons in the hands of foreigners, capable of being utilised for subversive purposes.

Furthermore, the Turkish delegation had on this basis accepted the rights which the civilised world recognised as being due to minorities. This was in no way contrary to the traditions of Turkey; but the Turkish people, like all other peoples, was nevertheless obliged to be extremely jealous in all that concerned its existence, independence and rights.

Unfortunately, constant wars—and especially those of recent years, which were carried on contrary to all rules—placed many Turkish subjects in the position of aggressors against their own country, and led to their forcible expatriation by the invading army. Obviously this referred to the Greek elements. A series of events, too long to recount, had rendered it necessary to exchange these elements against the Turks now in Greece. The conference might include some who favoured and others who opposed this method of solving the minorities problem; but the idea of an exchange had forced itself upon the attention of all, and Ismet Pasha felt obliged to say that it had become unavoidable. The exchange of the Greeks of Constantinople was a painful necessity, but logical—an operation which justice and equality required. It would also afford a means of housing the Moslems expelled from large Greek towns. Nevertheless the humane feelings of Turkey led her to agree to excluding from the exchange the Greeks born in Constantinople, whose numbers, according to the most accurate Turkish statistics, did not exceed 200,000. On the other hand, the Turkish delegation felt bound to request that this humane act should not entail suffering for Turks emigrating from Greece; in other words, that the Moslems of Greece who would be obliged to leave their homes should be indemnified in respect of such property, movable and immovable, as they might be obliged to abandon.

The other legitimate requests which the Turkish delegation had made in connection with the exchange of Greek and Turkish populations were now being examined by the sub-commission.

On looking into the question of the exchange of the Greek population, Ismet Pasha saw no need for regarding the economic difficulties which might arise for the country in consequence as the only important factor. The transfer of any section of a population would naturally entail some stoppage and change in the economic life of a country, but it was not fair to attribute superiority in a particular sphere to a certain element of the population on the strength of this fact.

The matter which engaged the attention of the Turkish delegation and grieved them from the humanitarian point of view was the individual suffering which any transfer must cause.

Turning to the question of the Jews, Ismet Pasha said that this hard-working and intelligent element, which had never been mentioned by name in any treaty until recent days, deserved to be held up to all other sections of the population as a pattern of quiet unruffled conduct.

This afforded ample evidence of the fact that in Turkey the best way to enjoy all the rights of a peaceful citizen was to have no compromising relations with foreign countries, and to keep aloof from all special solicitude on the part of foreigners.

Take the case of the Orthodox Turks; they had never asked for treatment differing in any respect from that enjoyed by their Moslem compatriots, and it was most improbable that they would ever make such a request.

The Nestorians and Assyrians on the eastern frontier of Turkey had never made any complaint until the great war, and even during the latter they had not had to endure any suffering peculiar to themselves; there was no doubt that the return of peace would enable them to resume excellent relations with their compatriots.

As regards the Armenians now living in Turkey, there was no obstacle in the way of their continuing to lead an industrious and prosperous existence in perfect harmony with their Turkish compatriots, as had been seen before the long years of the war.

The Turkish delegation were firmly convinced that peace would bring about the disappearance of such causes of suffering as were of a political character, and would remove all possible pretext for the activities of those committees formed abroad which regarded the Armenian question as a means of livelihood or a political weapon. Turks and Armenians would then be enabled to co-operate wholeheartedly in healing the wounds inflicted on them by the war.

Ismet Pasha had frequently stated to all the interested parties since his arrival at Lausanne, and now wished to state before the conference, that the Armenians who desired to remain in Turkey would be able to live in brotherhood with their Turkish compatriots, who would be full of solicitude for them and would willingly forget the events of the past. On the other hand, he could not help regarding the cession of an integral part of Turkish territory with a view to the formation of an Armenian national home as a fresh attempt to dismember Turkey. Abundant proof had been given that all such schemes were illegitimate and impossible. Turkey had not an inch of territory with a non-Turkish majority, either in her eastern provinces or in Cilicia, which could be detached in any way whatever from the mother country.

Besides this, Turkey, acting in accordance with international law and present usage, had concluded treaties and established good neighbourly relations with the independent Armenia which already existed, namely, the Soviet Republic of Erivan. It would be contrary to her undertakings for Turkey to contemplate the existence of another Armenia. Ismet Pasha hoped that the explanations which he had given on the question of an Armenian national home would be considered sufficient.

In the statements made on the previous day, the question of proclaiming an amnesty had been raised. Ismet Pasha was glad to state that the adoption of a measure of this kind had already been considered by Turkey.

Certain desiderata had been put forward with a view to securing freedom of movement for minorities, and also regarding the real and personal property held by them. Turkish law and the policy followed by the Turkish Government already gave, and would continue to give, full and complete satisfaction in respect of these matters.

On the other hand, the exemption of minorities from military service, apart from the fact that it would give certain privileges to a single section of citizens within one particular country, would also impede the creation and consolidation of that community of feeling which ought to exist between compatriots. Turkey therefore considered it contrary to her vital interests to accept this proposal.

The Turkish delegation also made reservations in regard to the fact that Thrace, which did not belong to Greece, had been mentioned in this connection.

The Turkish delegation did not share the view that the formation of a commission for the special purpose of dealing with minorities, to sit at Constantinople or somewhere in Greece, was likely to ensure the welfare either of the minorities or of the majorities. On the contrary, they could not help thinking that a commission of this kind would be apt to interfere in the affairs of the Turkish Government and consequently quite incompatible with the independence and even the existence of Turkey. It was therefore impossible for them to consent to the creation of such a commission.

Ismet Pasha must state plainly that in the matter of reciprocal rights for minorities the Turkish delegation had in mind not only the Moslems of Greece, but also those of all neighbouring States. In their view they had the right to hope that the interests of these people would be considered likewise.

Some of the statements made by Ismet Pasha during the previous meeting had been regarded as disrespectful towards the League of Nations. He hastened to correct that impression. Although no official relations existed between Turkey and the League of Nations, the Turkish Government regarded it with all due respect and consideration.

He wished to conclude his statement as follows :—

The rights of minorities would be confirmed by the Turkish Government on the same basis as those laid down in the treaties recently concluded in Europe, on the condition that Moslems in neighbouring countries should enjoy the same rights.

In the interest of general peace he considered it his duty to state that it was absolutely irreconcilable with the future existence of Turkey for her to accept any exceptional treatment more rigorous than that applied to other countries.

He hoped that the conference did not wish the protection of minorities to be used as a pretext for attacks on the existence and integrity of Turkey; and he did not doubt for a moment that the conference would kindly take into consideration the point of view which he had just placed before it on behalf of the Turkish delegation.

M. Veniselos said that the idea of a compulsory exchange of populations had not been put forward by the Greek delegation. On the contrary, such an exchange was repugnant to them. The Greek Government was ready to give up this idea on condition that the Turkish Government allowed the Greeks who were at present expelled from Turkey to return to their homes. The idea of a compulsory exchange had been suggested by Dr. Nansen, who believed that the Turkish Government would never allow the expelled Greeks to return to Turkey, as the only means of finding habitation for the shelterless refugees.

As regards the villages and towns destroyed by the Greeks in Asia Minor, the figures quoted by Ismet Pasha were given to the Red Cross representatives by Turkish officers. In their report those representatives estimated that there were 180,000 Turks without shelter in Asia Minor.

As regards the exemption of minorities from military service, M. Veniselos recalled the fact that in accordance with the Treaty of 1881 Greece had granted this exemption to the population of Thessaly without exacting any compensatory tax;. thus Moslems resident in Greek territory had never been liable to conscription before the war, and had been enlisted during the war only; and even these had only served in the rear of the army.

Ismet Pasha had said he was ready to grant to minorities in Turkey guarantees identical with those granted in other European countries. M. Veniselos was sure that on the basis of these treaties adequate guarantees could be given to the minorities.

M. Veniselos hoped that the Turkish delegation would not persist in refusing to accept the control which was necessary for the purpose of ensuring that the clauses adopted were really put into execution. The Turkish delegation argued that this control would infringe the sovereignty of Turkey. That argument could not be admitted, for a similar control had been accepted by the Allied States. It was not indispensable that this control should be vested in the League of Nations though no other body was better qualified; provision could be made for the formation of a special body; but the important point which must in any case be laid down was the necessity for control.

Lord Curzon said that two replies had been made by the Turkish delegation; the first, delivered on the previous day before they had had time to study his proposals, was of an uncompromising nature; the second reply, which had just been delivered, was subsequent to the study of those proposals. The Turkish delegation had kindly sent him the text of their first statement, and he now had some observations to make on both the Turkish replies.

In his speech of the previous day, Ismet Pasha had in the first place appealed to history, laying special stress on the generous conduct of former Turkish monarchs towards the minorities in Turkey, and had instanced the special favour shown to the Greek Patriarchate at Constantinople by Mahomed II. That morning he (Lord Curzon) had learnt that at the last meeting of the Sub-Commission on the Exchange of Populations, the Turks had laid down, as the first condition for their consenting to the Greek population remaining in Constantinople, the removal from that capital of the Greek Patriarchate and all its institutions. Thus was the example of Mahomed II being carried out by the present Turkish Government.

Ismet Pasha's next point had been a quotation from Voltaire to the effect that in his time 200,000 Greeks were living happily at Constantinople. What was the present position? The second condition which the Turkish delegation had laid down at the sub-commission was the removal from Constantinople (*a*) of all Greeks who were not Turkish subjects, and (*b*) of all Greeks who were Turkish subjects but not born in Constantinople. That was how the present Turkish Government carried on the policy described by Voltaire.

Ismet Pasha's third point was that all the troubles with regard to minorities in bygone years were due to the propaganda and machinations of Tsarist Russia. Had the Russian propagandist influence at Constantinople ceased altogether under the Soviet régime?

Ismet Pasha had then quoted passages in his favour from many sources, including official papers published in England; that, Lord Curzon ventured to suggest, was a dangerous course to pursue. He himself could quote passages from recent Blue Books published since the war, demonstrating with unanswerable force, with figures and facts, the lamentable treatment to which the minorities in Asia Minor had been exposed during the last few years. He had refrained from doing so, because he did not want to make the situation more difficult. He did not want to retell the tale of massacre and crime. Let the Turkish delegation remember, therefore, that Blue Books could be quoted on both sides.

Ismet Pasha had then referred to the Armenians, whom he depicted as a people who were quite happy and contented under Turkish rule, for whom the Turkish Government had the most fraternal feelings, whose sufferings had only been brought on them either by their own folly or by the machinations of their neighbours. Did this picture agree with the facts? If such happy relations had always existed between these two peoples, how was it that the 3,000,000 Armenians formerly in Asia Minor had been reduced to 130,000? Had they killed themselves, or had they voluntarily run away? By what pressure had this reduction been accomplished? When the French troops recently left Cilicia, why had 60,000 to 80,000 of these happy, contented people fled after them to live in misery elsewhere, leaving their homes and families behind? Why were hundreds of thousands of Armenians now fugitives in every country in the world, when all they had to do was to return to the cordial embraces of the Turkish Government? Why was this Armenian question one of the great scandals of the world? He was delighted to hear that the Turkish Government were willing to live on terms of amity with the Armenians; but it was easy to live on good terms with a minority reduced to a miserable remnant. The eyes of the world were on Armenia and on Turkey, and the world would not be content that these wretched people should be left without any protection at the mercy of whatever the Turkish Government might be pleased to do.

That morning Ismet Pasha had made a few remarks about the other minorities. Lord Curzon would not add anything to what he had already said about the Greeks, because their case was in the hands of M. Veniselos; but he deeply regretted to hear the repeated charges in the speeches of the Turkish delegation against the Greek population and army, when similar and much greater charges could easily be brought against the Turks. Let not the scene be darkened by all these charges and counter-charges. The purpose of the conference was to make a solution for the future. For his own part, he deeply regretted that the solution now being worked out should be the compulsory exchange of populations—a thoroughly bad and vicious solution, for which the world would pay a heavy penalty for a hundred years to come. He detested having anything to do with it. But to say it was a suggestion of the Greek Government was ridiculous. It was a solution enforced by the action of the Turkish Government in expelling these people from Turkish territory. Even now, as the proceedings of the sub-commission showed, the Turkish Government was still bent on getting rid of every Greek in Constantinople, or only allowing them to remain at the price of certain cruel conditions.

Lord Curzon continued: "When we go away—and we may go quicker than you think—the whole world will look at what we have been saying and doing here during the last two days. When the world hears that we have been fighting the battle of these minorities and have received nothing in return from the Turkish delegation but platitudes, the general impression will be deplorable."

The day before he had made certain definite suggestions on behalf of the Allies, whose delegates had already seen the text of his speech and had agreed with his views.

His first suggestion was that the Turkish delegation should favourably consider the question of finding some home to which the scattered elements of the Armenian people could return in their native country. The Turkish reply was that this would involve the dismemberment of Turkey, who had not got a little bit of ground in those large areas to give for the purpose. He thought that reply would produce a very unfavourable impression.

Secondly, he had asked the Turkish delegation to consider favourably his proposal to interest the League of Nations in the minorities problem, and had pointed out that in the Paris note of the 23rd September the acceptance of that condition by the Turkish Government was part of the price the Turks were to pay for the recovery of Eastern Thrace. The reply of the Turkish delegation took a double form. On the previous day, Ismet Pasha said that the Turkish Government was afraid of the Council of the League of Nations, because busybodies outside might draw its attention to what was going on in Asia Minor as regards minorities; that the council would intervene and that Turkey would not like it. M. Barrère and Lord Curzon himself, who sat side by side at the conference table, represented the two largest colonial Empires in the world. Those Empires included countless minorities, numbering not thousands, nor hundreds of thousands, but millions of people. Both France and the British Empire were members of the League; they were not afraid of their minorities making mischief and stirring up trouble within the League, because their hands were clean. The last argument to bring against the League of Nations was that its members had anything to fear from it. Injustice could not go on before it; it would be found out. With the utmost sincerity he would say to the Turkish delegation that their suspicions of the League of Nations were not only ill-founded, but most unwise.

That morning Ismet Pasha had made another reply about the League of Nations—that the Turkish Government and delegation regarded it with great respect. Why, then, should they not employ it? If one regarded a man with great respect, one did not turn him outside the door, but invited him to take a chair at one's side.

He ventured to give a word of advice to the Turkish delegates: the time had really come when they must decide their future attitude towards the League of Nations. The League had been flitting in the background of all the discussions at the conference; one day in connection with the Straits, the next in connection with minorities, and the next in connection with a general guarantee for protecting the territory of its members against attack. The League was an agency accepted for these purposes and in this sense by most of the Governments of the world. What line were the Turkish delegation going to take? Did they wish to join the League, to become members, to obtain the advantage of its guarantee, or not? An answer to this question would greatly simplify matters, not necessarily at once—as a big decision was involved—but, he hoped, at a very early stage. Many arrangements now under discussion with the Turks would be easier to carry out if the League of Nations were involved, and the protection afforded to Turkey in the future would certainly be greater. If, on the other hand, the Turkish delegation refused to have any contact with the League of Nations, there would be a very marked change, not only as regards the feeling of his own country and some others, but also as regards the solution of the problems now before the conference.

He had further suggested as an alternative to the League of Nations the setting up at Constantinople, on the one hand, and at some place in Greece, on the other, some organisation to supervise the execution of the minority clauses in the Treaty of Peace. This suggestion was at any rate worthy of consideration. What was the Turkish reply? That such an arrangement would be inconsistent with the sovereignty and independence of Turkey. But M. Veniselos did not find it inconsistent with the sovereignty and independence of Greece; why was Turkey so abnormally sensitive? This argument was advanced by the Turks in connection with every question discussed and every guarantee proposed. He implored the Turks not to take refuge in mere words like these. No one wanted to interfere with their independence or sovereignty; everyone wanted to build up a sovereign independent Turkish State; but no solution would ever be reached if every statement made were to be met by Turkey wrapping herself up in her cloak and saying that the proposal was incompatible with her sovereign independence. Let the Turkish delegation deal with realities—not phrases—and abandon their suspicions; let them work loyally with the other delegations under conditions which would ensure Turkey not universal suspicion, but universal respect.

He would now deal with the reply just made by Ismet Pasha to his (Lord Curzon's) remaining suggestions. He had suggested that a general amnesty was one of the first measures to be taken. He understood, but was not quite sure, that Ismet Pasha accepted this in principle. No doubt Ismet Pasha would correct him if he were wrong.

The second suggestion concerned compounding for military service. M. Veniselos had said that conscription was not applied to the Turkish minorities in Greece. Ismet Pasha appeared to refuse absolutely to allow a compounding fee to be paid for exemption from military service. Lord Curzon had two remarks to make in this connection. Firstly, if, as the Turks now contended, a military commutation fee was impossible and illegal, how was it that the Turks were at this moment levying a fee of £T. 100 on Christian males of military age leaving Constantinople? Secondly, there was no doubt that in bygone years the law of conscription as enforced on Christian minorities in Asia Minor had been a source of great oppression, of illegal exactions and much suffering. These commutation fees had been paid hundreds of times over—and everyone knew it—by wretched men who had given what they could to escape the penalties of military service. Let them look facts in the face. If the matter were pursued further, he hoped that the Turkish delegation would adopt a much more reasonable attitude.

He was glad to hear that the Turkish delegation had accepted a proposal put forward by him on the previous day that there should be freedom of movement and power to leave the country for the minorities both in Turkey and in Greece.

There remained the question of special guarantees for the minorities in Turkey and Greece, somewhat on the lines of those introduced into the European treaties. As M. Veniselos had just said, these guarantees had been voluntarily introduced by the victorious Powers. A little while ago the Turkish Government accepted a similar obligation. Article 5 of the National Pact ran as follows :—

> "The rights of minorities as defined in the treaties concluded between the *Entente* Powers and their enemies and certain of their associates shall be confirmed and assured by us in reliance on the belief that Mussulman minorities in neighbouring countries also will have the benefit of the same rights."

There was nothing in this article about those guarantees being inconsistent with the sovereign rights of Turkey. Surely, the Turkish delegation would be proud to carry out one of the main provisions of the pact to which they were constantly appealing. It still remained to decide how these provisions should be reproduced and possibly supplemented. This was a question which could best be examined by the proposed sub-commission, but before that body began its work he desired to address a few words to his Excellency Ismet Pasha :—

> "I have this morning ventured to use very serious language, because in this question and in many others the Turkish delegation seem hardly to realise the position in which the conference is placed. As I have often said, this conference has one purpose only. My object and that of my Allies has always been to remove barriers in the way of attaining that purpose; the object of the Turkish delegation is apparently to create barriers. This cannot go on indefinitely. Europe has other thing to do; we have other things to do. The minorities problem excites more attention throughout the world than anything else, and by the manner in which it is solved will this conference be judged.
>
> "If the Turks adopt an unreasonable attitude upon this: if we break down upon this: if we have to go away, will there be a single voice lifted up for the Turkish delegation in the whole world? They may get some support at Angora; I do not know. They will get nothing anywhere else. I venture to hope that the Turkish delegation will bear in mind these few remarks of mine, with which I know my colleagues agree, and which are couched in a spirit of friendship and regard, but are quite deliberate."

ISMET PASHA reserved his reply to Lord Curzon for later on. But he insisted on laying immediate stress on the fact that, in his vehement refutation of the Turkish arguments, Lord Curzon had attributed to him statements which he had never made and ideas which he had no recollection of having expressed. It would be really too easy to win a case in this manner.

(*The commission rose at* 1·50 P.M.)

No. 18.

Territorial and Military Commission.

Minutes of the Fifteenth Meeting, December 14, 1922, at 10·30 A.M., *under the presidency of Lord Curzon.*

Present:

British Empire.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

France.

M. Barrère.
M. Bompard.

Italy.

Marquis Garroni.
M. Montagna.

United States of America.

Mr. Child.
Admiral Bristol.
Mr. Grew.

Japan.

Baron Hayashi.
Mr. Otchiai.

Greece.

M. Veniselos.
M. Caclamanos.

Roumania.

M. Duca.
M. Diamandy.

Kingdom of the Serbs, Croats and Slovenes.

M. Spalaikovitch.
M. Rakitch.

Turkey.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

British Empire.

Sir William Tyrrell.
Mr. Ryan.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

France.

M. de Lacroix.
M. Laporte.
M. de Percin.
M. Barois.

Italy.

M. Arlotta.
M. Guariglia.
M. Galli.

United States of America.

Mr. Amory.
Mr. Dwight.

Japan.

Mr. Nagaoka.
Mr. Tani.
Mr. Kobayashi.

Greece.

General Mazarakis.
M. Dendramis.
M. Politis.
M. Theotokas.
M. Michalopoulos.

Roumania.

M. Contzesco.
Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Antitch.

Turkey.

Munir Bey.
Mustafa Sherif Bey.
Vali Bey.
Shukri Bey.
Lieut.-Col. Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.
Mr. Wicks.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Georgevitch.

Turkey.

Reched Safvet Bey.

Interpreter: Lieutenant-Colonel Heywood.

Ismet Pasha said that he had listened attentively and with great respect to the speech made the day before by Lord Curzon. He was unfortunately compelled to note that the sentences and words which Lord Curzon had used differed from those employed by him hitherto. The truth, as shown by historical evidence ever since the days of Mehmed II, was that the minorities, by continual and persistent misuse of the privileges granted to them and by making themselves the instrument of foreigners, had brought about the deplorable results which had ensued. For his own part Ismet Pasha regretted most acutely that the present situation should have arisen.

In response to Lord Curzon's enquiry, Ismet Pasha hastened to state that he had no complaint to make against Soviet Russia. Lord Curzon, when answering Ismet Pasha's statements regarding the affection shown by the Turkish Government towards the loyal Armenians, had enquired how it came about that out of 3,000,000 Armenians formerly resident in Turkey only 130,000 remained, and why 60,000 of the latter had emigrated into Cilicia. The Turkish delegation thought that there must be some error in the figure of 3,000,000 Armenians in Turkey, for they had never seen such a figure in any statistics. The work of M. Vital Cuinet, from which most of the statistics published in Europe were derived, spoke of about 1,400,000 Armenians living in Turkey, the "Encyclopædia Britannica" of 1,500,000 and the official Turkish statistics of 1,290,000. The Armenians inhabiting parts of the Ottoman Empire which had been detached from Turkey must be deducted from all these figures. This proved that there had never been 3,000,000 Armenians in Turkey; in fact it was notorious that there was no such number of Armenians in the whole world. The Armenians were known to have left Cilicia before the departure of the French, and, consequently, before the arrival of the Turkish troops, and they acted thus despite the persistent endeavours of the French authorities to persuade them to remain in their homes. This population had been compelled to go, against its own will, by agents of revolutionary committees, whose objects were political. The people who expatriated themselves in this way confessed to the Moslems before their departure with tears that they had no desire to leave, but were afraid of the revolutionary committees. Moreover, these facts were known to everybody. What, then, had become of those who were now missing according to the statistics just given? The answer must be sought in the wars which had taken place and had been forced upon Turkey. These wars had also resulted in the transformation of the happiest, richest and most famous regions of Anatolia into a field of ruins. The Moslem population in the eastern provinces of Turkey had dropped from 4,000,000 to less than 3,000,000, and in the western provinces which had been invaded, from 3,500,000 to about 2,000,000. Those missing—*i.e.*, nearly 2,500,000 people—were victims of the disastrous years of war. However, Ismet Pasha, in accordance with the desire expressed and the example set by Lord Curzon, also desired to leave the past aside, for he, too, was most anxious to make progress and attain peace. Lord Curzon had said that he detested the compulsory exchange of populations; but at the meeting of the commission on the 1st December, Lord Curzon had declared that no solution was possible except the exchange of populations, and that, as voluntary exchange could not give any result, recourse must be had to compulsory exchange. He had added on the previous day that it was not fair to say that this proposal had first been made by the Greek Government.

Ismet Pasha further recalled the fact that the first proposal respecting this question had been made by an unofficial person, Dr. Nansen, whose unofficial capacity had been explicitly pointed out by Ismet Pasha himself. After Ismet Pasha the first official person who had spoken on this subject had been M. Veniselos, and then Lord Curzon. Moreover, a sub-commission had been formed for the sole purpose of studying this question and was on the point of completing its task.

Lord Curzon had asked whether it was impossible to find a corner for the Armenians in a country as large as Turkey. Ismet Pasha ventured to observe in this connection that there were other

Powers whose possessions covered an area incomparably greater than that of Turkey. Moreover, the regions quite recently detached from Turkey were enormous, and the territory left to Turkey was inhabited by a Turkish majority and each part of it formed an indivisible whole.

The Turkish population of the eastern provinces such as Cilicia had made countless sacrifices in order to defend their homes against invasion or foreign occupation, and could not possibly abandon their dwellings to others.

Lord Curzon had stated that his country possessed many colonies which included numerically important minorities, but Great Britain did not fear the League of Nations because her hands were clean. Ismet Pasha must state once more that there was a misunderstanding on this point; there had never been any question of Turkey fearing the League of Nations either. The hands of the Turks now at work in their own country, which had been devastated and ruined by foreign invasion, were quite peculiarly clean. Those hands had never violated, invaded or devastated any foreign country, and could without fear sustain comparison with any other hands.

Lord Curzon had said that, as Turkey professed to respect the League of Nations, she should not turn the League outside the door, but offer it a seat; and he had enquired whether Turkey desired to enter the League. The Turkish delegation had never said that Turkey would not enter the League. On the contrary, she was ready to enter it as soon as peace was concluded. She would then express her opinion on this subject, and the strong desire of the Allied Powers to see her enter the League would be satisfied.

Lord Curzon had said that he found the Turks highly sensitive respecting questions of supervision; that they regarded everything connected with supervision as an attack on their sovereignty; and that M. Veniselos, on the other hand, did not view the question in the same light. Lord Curzon had been so good as to add that he implored the Turks not to take refuge in mere words; that no one at the conference had any hostility towards them, and that one must deal with realities, not phrases.

Ismet Pasha begged Lord Curzon to excuse him for insisting on this subject. Turkey was acutely sensitive on this matter, and her fears were unfortunately well founded, for up to the present day Turkish sovereignty had always been infringed on the plea of humanitarian considerations.

The integrity of Turkey had frequently been guaranteed by means of promises from the highest authorities and also by solemn treaties, and yet Turkish sovereignty had repeatedly been violated and Turkey had been dismembered again and again. How could Turkey help having misgivings? Surely Lord Curzon would admit that in this respect the Turkish delegation were right.

As regards the tax for exemption from military service, Lord Curzon had referred to M. Veniselos's statement that the Moslems of Greece were not liable either to military service or to an exemption tax, but that during the war they had been enlisted in the army. Ismet Pasha wished to make an observation on this matter. By the Treaty of Athens between Greece and Turkey, Greece undertook to abstain for three years from imposing military service or an exemption tax on Moslems remaining in Greece; but, in spite of this treaty and before the expiration of the period of three years, Moslems had been enlisted in the army.

The present tax in Anatolia was levied on all who, for one reason or another, did not perform military service, whether Moslems or not.

Lord Curzon had said that it would be in accordance with the Turkish National Pact for Turkey to accept the principles contained in the treaties concluded with other Powers respecting the guarantees to be given to non-Moslem minorities.

Turkey did not think, and never would think, of going back on the National Pact, and Ismet Pasha renewed the assurance that he accepted the application of the principles contained therein.

In these circumstances he did not understand why Lord Curzon should have said that the attitude adopted by the Turkish delegation in the question of non-Moslem minorities would create a bad impression on the public opinion of the world. Ismet Pasha added that the action of the Turkish delegation in agreeing to recognise the principles in question was due, not to Lord Curzon's speech, but to their fidelity to the Turkish National Pact, all portions of which formed an indivisible whole.

Lord Curzon had stated that the problem of non-Moslem minorities aroused great interest in the world, that the Turks were constantly creating difficulties, and that if on this account they interrupted the conference and left Lausanne, not a single voice would be raised in the whole world in their defence, and he had added that he used this language deliberately.

If these words contained a threat of rupture, and if they meant that Turkey would be responsible for it, the question could not be put in this way, for, as Ismet Pasha had already stated, he had agreed to recognise the rights of the non-Moslem minorities before Lord Curzon uttered these words.

It was, moreover, impossible to prove by a single instance that the Turkish delegation were creating difficulties at the conference. The Turks had never yet retarded the solution of any problem. The Turkish delegation had constantly shown their goodwill in favour of peace. Concessions had always been demanded of them and they had always made sacrifices for the sake of world peace. For their part, they would continue to work for peace. Should a rupture take place notwithstanding, and should the minorities problem be regarded as a convenient pretext for it, the Turkish delegation were convinced that, once these truths were known, the voices raised in favour of the Turkish delegation would come not only from Angora, but also from the conscience of all peoples.

Ismet Pasha wished to repeat once more that the Turkish delegation had come to Lausanne to conclude peace, and demanded that right and justice should be done to all.

Ismet Pasha summed up his statements as follows :—

1. Turkey would be happy to enter the League of Nations upon the conclusion of peace;
2. She recognised the rights of non-Moslem minorities in accordance with the principles accepted by various European States and embodied in treaties;
3. She would proclaim an amnesty.

These statements were due to the fact that it was absolutely necessary for Ismet Pasha to answer the commission in regard to the minority treaties. They had been made with all possible care and deference to the views expressed at the commission.

As they formed the answer to statements made at the commission, Ismet Pasha requested that they should appear *in extenso* in the minutes of the commission, and he proposed that the sub-commission should continue its work on the bases already laid down.

Lord Curzon was glad to recognise the different tone of the speech just delivered by Ismet Pasha from that of the two speeches made by him on the same subject during the past few days. His Excellency had recognised the extreme importance of the minorities question and the serious impression which a hostile or unfavourable attitude on the part of the Turks would produce on the world, and his latest speech certainly tended to remove some of the anxieties which Lord Curzon and other delegates present had felt. Lord Curzon would not pursue in a controversial spirit the debating points made by Ismet Pasha in the earlier part of his speech, as he wished to get ahead with business. He would only say that the figures which he had given regarding the Armenians were derived from a careful study of official statistics, and that, as regards the flight of the Armenian population from Cilicia, he had underrated, not overstated, the numbers. No doubt whatever existed as regards the headlong rush of fugitives to the coast which had taken place.

Turning to an examination of particular points in Ismet Pasha's speech, Lord Curzon observed that Ismet Pasha again spoke unfavourably of the desire of the Armenians for a habitation in Turkish territory. The Turkish delegation had recently indicated that Turkey needed the intelligence, commercial capacity and industry of the Armenians with a view to the future economic prosperity of Turkey. The Armenians had lived in Anatolia for centuries. Was it not desirable for the Turks themselves that the Armenians should live in their midst in contentment and loyalty? Ismet Pasha had said more than once that all the troubles with the minorities in the past, and particularly with the Armenians, arose from outside intrigue. Surely it was well worth while for the Turkish Government, if they brought back the Armenians, to treat them in such a way as would make them loyal Turkish citizens. He trusted the Turkish delegation would not reject his suggestion, and would allow it to be carefully examined in the sub-commission.

As regards the commutation tax for exemption from military service, Lord Curzon was not quite clear what the proposal of the Turkish delegation was. He understood them to say that this tax was levied on all their population, whether Turkish or not. That might be, but the point for which he was contending was that the Christian minorities in Asia Minor should be completely exempt from military service on payment of the tax. His studies of Turkish history showed that military service had been the cause of great oppression of the minorities. This was another matter which deserved careful examination by the sub-commission.

He now came to much the most important point in Ismet Pasha's speech, namely, his reference to the League of Nations. Ismet Pasha's previous attitude on this question had caused much disappointment, but he had just told the commission with perfect clearness and sincerity that the Turkish Government was ready to enter the League on the conclusion of peace. In another part of his speech Ismet Pasha had said "We are here for peace"; it therefore followed that the sooner peace was achieved the sooner Turkey would enter the League, and Lord Curzon hoped to see her become a member before many weeks.

Ismet Pasha's declaration was specially welcome for two reasons: firstly, because Turkey would be enabled to rely in future more than hitherto on the co-operation of other European countries; secondly, because her willingness to join the League would provide a solution of several questions now under discussion at Lausanne. This concerned not the minorities question alone, but at least three others also in which the labours of the conference would be very materially facilitated.

In the last part of his speech Ismet Pasha had said that the Turkish Government, following the pledge contained in one of the articles of the National Pact, entirely accepted the affirmation of the general rights of minorities as contained in some of the European treaties. Lord Curzon wished to observe in this connection that he was not quite sure whether the European treaties wholly covered the ground; this was a matter which should be carefully examined by the sub-commission. He desired to remind the Turkish delegation that under the law of Islam there already existed certain very special religious and educational privileges for the non-Moslem communities in the Turkish Empire; it was very desirable that these privileges should not be cancelled or superseded by the general rights that were recognised in the minority clauses of the European treaties. To give instances of what he meant, there was the famous Imperial decree of Gulhane, issued by Sultan Abdul Mejed in 1839, which confirmed the privileges already granted to religious communities in the Ottoman Empire; after the Treaty of Paris in 1856 a new Imperial decree was issued guaranteeing the same privileges, which were again confirmed by article 67 of the Treaty of Berlin; finally, there was the fundamental and constitutional law of the Ottoman Empire of 1876, which expressly guaranteed the religious privileges enjoyed by minorities. The Turkish delegation would readily admit that it would not be right for these privileges and guarantees to be suppressed in future.

He would draw the special attention of the sub-commission to these provisions in the law of Islam with a view to incorporating them in the sum total of guarantees to be secured for minorities.

He had one more observation to make. Under the minority clauses of the European treaties, the effective custody of the guarantees was placed in the hands of the League of Nations. He was therefore all the more glad to hear Ismet Pasha's declaration in regard to the League. When once Turkey had joined the League, she need have no fear of troublesome questions being raised in her absence, for whenever any questions arose Turkey would have the right to be heard and to take part in the discussion, the decision and the execution of any measures which might be adopted. This was the most gratifying feature of the commission's proceedings that morning.

On behalf of his colleagues and himself he thanked Ismet Pasha for his statement and wished all success to the sub-commission in the work on which it was now to embark.

M. Barrère said that a highly interesting discussion had arisen out of the minorities problem, and he was glad to see that very real progress towards conciliation had been made. He was most happy to note that Ismet Pasha and the Turkish delegation had approached this question with true regard for equity and justice, as the conference had felt sure they would do. He shared with Lord Curzon the hope that this spirit of conciliation would prevail in the sub-commission, to the benefit of the States represented at the Conference and also to that of the Turkish State.

Marquis Garroni said that he too was glad that the discussion had caused all ambiguity to disappear, and had put in their true light the opinions expressed at the previous meetings. He had no doubt that with the goodwill of all parties, and of the sub-commission set up for the purpose of investigating the various points considered by the commission, the conference would attain the object desired by all—agreement and peace. He hoped that the sub-commission which was about to begin its labours would be able to terminate them to the satisfaction of every one.

M. Venizelos read the following statement :—

"The Greek delegation wish to state that the idea of a compulsory exchange of population between Turkey and Greece has always been repugnant to them, but their consent to join in discussing the question has been forced upon them by a stern necessity, namely, the expulsion of 650,000 Greeks from Anatolia—to which must be added 300,000 Greeks who have left Eastern Thrace since the evacuation of that province by the Greek army.

"The discussion of this matter has naturally attracted considerable attention, and persons of high authority, such as Lord Curzon and the head of the United States delegation, have plainly indicated the true character of the methods proposed.

"Both the Greek and the Turkish populations involved in the compulsory exchange are protesting against this procedure. Stirred by the instinctive feeling of attachment to the land and homes where their ancestors have lived for centuries, the people who have already left refuse to believe that they may be severed from their native soil for all time, while those who may be compelled to leave display their reluctance and dissatisfaction by all the means at their disposal.

"In view of these considerations, the Greek delegation, who do not in the least desire that the Turkish population now within the frontiers of Greece should leave Greek territory, expressed their willingness to give up all idea of a compulsory exchange and made a proposal to that effect, subject to the following conditions :—

"1. That the Greek population remaining in Anatolia—estimated by the Greek delegation at 300,000, but by the Turkish delegation at not more than 250,000, including 50,000 Turkish-speaking persons of Orthodox faith, who would stay in any case—should not, on any pretext, be compelled to leave that province or abandon their regular homes for the purpose of being transported elsewhere.

"2. That any Greek inhabitants of Anatolia who have taken refuge in Greece and wish to return to their homes (where they could contribute greatly to the economic restoration and prosperity of the country) should be allowed to do so as and when the difficulties created by the conflict, now fortunately over, disappear.

"3. That there should be similar treatment for the inhabitants of Eastern Thrace, who should likewise be free to return to their homes when peace is concluded and as soon as the Turkish Government consider their return compatible with the interests of the province in question.

"4. That the Greek inhabitants of Constantinople should enjoy the full right to remain in that city if they so desire, and those who have already left Constantinople should be free to return thither.

"5. That the Greek Government should undertake not to resort to any measures which might be regarded as tending to compel Turkish residents in Greece to leave Greek territory, and that it should be ready to grant these ethnical minorities the same guarantees, with a view to their intellectual and moral development, as those which the Turkish Government might grant to the Greek ethnical minorities left in or returning to Ottoman territory, in accordance with the clauses set forth below.

"6. That there should be a special agreement, which the Greek Government is ready to discuss and conclude without delay, in regard to the exchange of (*a*) civilian prisoners, (*b*) prisoners of war, (*c*) males remaining in Asia Minor whose families continue to reside in Greece.

"This proposal was submitted to the sub-commission set up by the first commission of the conference to examine the question of the exchange of prisoners and of populations, and at that sub-commission the Greek delegation earnestly begged the Turkish delegation to be so good as to express their opinion on the subject.

"The Turkish delegation, however, were equally insistent in denying that the sub-commission was competent to deal with the matter. The Greek delegation therefore have the honour to renew their proposals before the main Commission, with the two-fold purpose of defining the attitude of their own Government in the matter and of inducing the conference to exercise its powerful influence with a view to persuading the Turkish delegation to accept the proposals outlined above.

"The Greek delegation further wish to state that if the idea of exchanging populations should prevail despite the various arguments brought forward and the proposals which they have made, the Greek Government reserves the right to limit the application of the agreement respecting compulsory exchange to those districts of the Greek Kingdom for which it considers the system indispensable. The Greek Government will thus abstain to the best of its ability from infringing the natural and undisputed right of all populations to inhabit the districts where they are settled.

"The Greek Government will in fact only ignore this right when compelled to do so by unavoidable necessity and force of circumstances, and after doing all that is humanly possible to assert this right and induce everyone to recognise it."

In reply to Ismet Pasha, M. Veniselos added some remarks on the favourable treatment which Moslems had always enjoyed in Greece. In this connection he quoted the following examples :—

By the treaty of 1881, which gave Thessaly to Greece, Moslems established in that province were given a period of three years within which they could exercise the right to opt for Ottoman nationality. During that period they were exempted from all military service. This provision was scrupulously observed by the Greek Government, which, after the expiry of the above period, continued until the great war not to recruit those Moslems without ever exacting an exemption tax.

The Treaty of Peace, signed at Athens on the 1st November, 1913, likewise granted exemption from military service to those who might opt for Ottoman nationality within three years. In accordance with this stipulation the Greek Government had never thought of imposing military service on the Moslems of the annexed territories during that period. Those who opted for Turkish nationality in accordance with the treaty were bound to leave Greek territory within the same period; but as such emigration was at that time very difficult owing to the European war, Greece allowed these Moslems to remain in her territory beyond the stipulated period without ever thinking of subjecting them to military service. Even during the European war, when no Greeks enjoyed the right of exemption from military service, this privilege was granted to Moslems alone; and those Moslems who did not avail themselves of the privilege were enlisted for service in the auxiliary services behind the lines.

In support of his statements in regard to the benevolent treatment given to Moslems in Greece, M. Veniselos quoted the following evidence from a work of Marshal Franchet d'Esperey (January 1911) :—

> "The Moslems do not abstain from the status of electors with the right of eligibility, and yet even to-day they continue to have recourse to Turkish protection for the defence of their interests when a case arises.
>
> "The Greek Government, in its anxiety to avoid friction, has always tolerated this double nationality, and has even prolonged by royal decree the period allowed for exemption from military service—to such an extent, moreover, that to this day Moslems continue to be relieved of this obligation and are not compelled to pay an exonerating tax in return.
>
> "The broadest toleration is observed as regards religious ceremonies in public.
>
> "At Larissa during Ramadan the opening and closing of the fast are announced by the firing of a gun, and at the hour indicated by the Mufti salvos of Greek artillery proclaim the beginning of Baïram.
>
> "The hierarchical organisation of the Moslem communities has remained autonomous. The Mufti is appointed by the communities themselves."

M. Veniselos thought it well to recall these facts in the hope that the Ottoman delegation, being acquainted with the broad and tolerant attitude of the Greek Government towards Moslems, would be persuaded to accept the guarantees requested for the protection of minorities in Turkey.

M. Veniselos proceeded to refute the allegations made by Ismet Pasha as regards the Greeks of Turkey having revolted against the Turkish administration. Throughout the history of the Turkish Empire no Greeks had ever revolted against Ottoman rule at any place in Thrace or Asia Minor, or at Constantinople. It was only after the armistice of Mudros, when territorial changes in the Ottoman Empire were contemplated, that the Greeks of those territories had sought to unite themselves with their fellow-Greeks. Surely this was a most natural feeling. M. Veniselos further expressed the firm conviction that the Greeks who continued to reside in Turkey after the conclusion of the treaty would be thoroughly loyal subjects of that State.

ISMET PASHA expressed his thanks for the conciliatory sentiments displayed by Lord Curzon and the representatives of the other Powers. He hoped that the investigation of this problem would not be used as a pretext for further intervention, and that there would be no outside interference in this connection with the drafting of Turkish internal legislation. He would accept the stipulations regarding minorities contained in the European treaties, but could not go beyond this point. He proposed that the question should be examined on a general basis.

Ismet Pasha was surprised to hear M. Veniselos contradict his previous statements in regard to the good feelings of the Turks and the exchange of populations. This matter had been investigated in the sense of M. Veniselos's own wishes and suggestions, and that was the line on which the discussion had hitherto proceeded at the special sub-commission. The Turkish delegation therefore thought that the sub-commission should continue to examine the problem.

M. Veniselos repeated that he had never regarded the idea of a compulsory exchange of populations as an equitable and humane solution of the problem. He had always held that the only principle which could provide an acceptable solution was that of reciprocal and voluntary emigration. In his great anxiety to facilitate the work of the conference he had gone so far as to accept Dr. Nansen's proposals for a compulsory exchange, but only because he had become firmly convinced that any other settlement of the refugee problem would be rejected by the Ottoman delegation. If there was a misunderstanding on this subject, and if the Ottoman delegation were prepared to consider another solution of the problem based on principles which were more humane and more in accordance with the natural rights of populations, he was prepared to withdraw his consent to the method of compulsory exchange—a method which he had only accepted under stress of necessity. He expressed his willingness to engage in a discussion on this subject, and would even be disposed to accept whatever date the Turkish delegation might fix for the return of the refugees to their homes.

Sir H. Rumbold wished to make clear one particular point in regard to the exchange of populations.

The Allied High Commissioners at Constantinople had dealt with the question in the following circumstances: When the Greek population fled from Asia Minor in hundreds of thousands, the High Commissioners met to examine the problem. Dr. Nansen, who was at the time in Constantinople and had come there for the purpose of dealing with the question of refugees, was invited to attend these meetings, and the idea of an exchange of populations came from him. The High Commissioners, who realised the magnitude of the problem, were of the opinion that it must be settled by the conference and not by themselves. It was at this point that Dr. Nansen approached Hamid Bey, the representative of the Angora Government at Constantinople, and the latter replied categorically that the question of exchanging populations could only be considered on a compulsory basis.

M. Spalaikovitch said that Turkey, by agreeing to conform herself to the new principles inaugurated and adopted by Europe as regards minorities, as had already been done by so many other States, was taking her place among modern States. He congratulated the conference and the Turkish delegation on this achievement.

(*The commission rose at* 12·10 p.m.)

No. 19.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Sixteenth Meeting (Fifth Meeting of the Straits Commission), December 18, 1922, *at* 4 P.M., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Rakitch.

TURKEY.

Ismet Pasha
Riza Nour Bey.
Hassan Bey.

BULGARIA.

M. Théodorof.
M. Stanciof.

RUSSIA, UKRAINE AND GEORGIA.

M. Chicherin.
M. Rakovsky.
M. Mdivany.
M. Vorovsky.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Admiral Sir R. Keyes.
Major-Gen. Burnett-Stuart.
Mr. Ryan.
Captain Pound, R.N.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Major McLeod.
Captain Ashley.

FRANCE.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. de Lacroix.
M. Laporte.
Lieut.-Col. Courtin.
Captain de la Moricière.
M. de Percin.
M. Barois.

Italy.

M. Arlotta.
M. Guariglia.
Admiral Chelotti.
Colonel Vitale.
M. Ciamarra.

United States of America.

Mr. Dwight.
Mr. Amory.

Japan.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

Greece.

General Mazarakis.
M. Michalopoulos.
M. Dendramis.
M. Politis.

Roumania.

M. Contzesco.
Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Antitch.

Turkey.

Munir Bey.
Lieut.-Col. Tevfik Bey.
Captain Shevket Bey.

Bulgaria.

M. Morfof.

Russia, Ukraine and Georgia.

M. Berens.
M. Chapochnikof.

Secretaries.

British Empire.

Mr. Spring Rice.
Mr. Wicks.

France.

M. Lagarde.
M. Tarbé de Saint-Hardouin.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.
M. Georgevitch.

Turkey.

Rechid Safvet Bey.

Bulgaria.

Mlle. Stanciof.
M. Altinof.

Russia, Ukraine and Georgia.

M. Sabanine.
M. Ahrens.

Interpreter: M. Camerlynck.

Lord Curzon spoke as follows:—

"At the meeting of this commission which took place on the morning of the 8th December last, I laid before you the proposals which had been agreed to between the inviting Powers regarding the freedom of the Straits and the means by which this freedom could be safeguarded.

"In circulating these proposals in the detailed form in which they had been drafted by the technical advisers of the three inviting Powers, I stated that it appeared to me only courteous to the other delegations that they should be given an opportunity of studying these detailed proposals and, in so far as they were directly concerned, of consulting the Allied experts upon any point on which they desired further information. I am glad to learn that the Turkish delegation have profited fully from this opportunity, and that repeated discussions have taken place between the Turkish experts and the experts of the inviting Powers in regard to such aspects of our scheme as directly affect Turkish territory and the safety of the capital of the Turkish State. I think that these discussions have proved very fruitful, and it will be seen that we have at many points been able to meet the suggestions and objections which the Turkish delegation have made.

"The result is that the scheme which is before you to-day differs in certain details, though not in principle, from that which was originally submitted.

"Four separate papers have been circulated to all the delegations and are now in your hands.

"They consist of—

"1. Clauses regarding rules for the passage of ships, &c. (Annex (A)).

"2. Clauses regarding demilitarised zones and means of defence (Annex (B)).

"3. Articles for the constitution of a Straits Commission, as already accepted in principle by all parties (Annex (C)).

"4. Proposed guarantee for the military security of the Straits and Constantinople (Annex (D)).

"I will make a few observations about each of these. As regards the rules for the passage of vessels through the Dardanelles, the Sea of Marmora and the Bosphorus, you will observe that the original scheme has now been drafted with greater precision. Certain points, which in the original draft were considered to be of doubtful interpretation, have now been rendered in a more explicit form. In particular, the important regulation limiting the tonnage of war vessels passing through the Straits has been altered to the advantage of the Black Sea Powers and elucidated by the introduction of provisions which indicate the manner in which the control of such passage shall be executed. Moreover, it has been made clear that Turkey is in no way responsible for the possibly invidious task of herself guaranteeing the limitation on the number of war vessels which may pass through the Straits.

"As regards the demilitarisation of the Straits zones, two separate demilitarisation schemes have been discussed with the Turkish delegation. Both of these schemes were designed to secure by slightly different means that through passage, unthreatened by guns or fixed defences, which is so essential a condition of the freedom of the Straits. The second scheme, which is that now before you, was drawn up in order to meet the general trend of the Turkish arguments regarding what was necessary to secure to them a reasonable degree of military security against attack. It is the opinion of the Allied military and naval representatives that both schemes provide Turkey with adequate freedom to organise the defence of her territory under the conditions which the treaty is designed to create.

"You will observe that the following modifications have been introduced into the original proposal. In the first place, the limit of the demilitarised zones on both shores of the Dardanelles has been reduced in the vicinity of Rodosto on the one hand and Karabigha on the other. A similar reduction will be noticed in regard to the zones covering the Bosphorus. Moreover, a small additional island in the vicinity of Tenedos has been included in the demilitarised zones, while the island of Emir Ali in the Sea of Marmora has been released from the obligation of demilitarisation. In regard to the actual demilitarisation clauses, certain very important concessions have been made as a result of the observations made by the Turkish delegation. It is explicitly stated that Turkey is to be allowed to send armed forces in transit across the demilitarised zones of the Straits—a point to which Ismet Pasha attached great importance in our earlier discussions; she is further to be allowed in these zones the right to organise a system of observation and communication, both telegraphic, telephonic and visual; and her fleet is to retain the right to navigate and anchor in the waters of the Straits, including those of her own demilitarised zones and islands.

"Finally, the original proposal has been amplified to the greatest extent possible, whilst maintaining the principle of the freedom of navigation, by provisions which will secure for Turkey the necessary defence of the Sea of Marmora and its coasts.

"These provisions and modifications, which I think you will all agree are both just and reasonable, have been made to meet the objections and wishes of the Turkish delegation in regard to the detailed schemes which were laid before the commission on the 8th December. In my speech on that occasion, I also indicated that it would be necessary to establish an international commission to be called the Straits Commission, whose duty it will be to secure that the regulations which may be established are observed by all parties. It is now possible to lay before you draft articles, which have been agreed to by the inviting Powers and which provide in a reasonable form for the institution of this commission.

"At the conclusion of my former speech I also indicated that a third branch of the subject remained for discussion, namely, what form of guarantee could be provided for the security from attack of Constantinople and the demilitarised zones generally. The form which could be given to such a guarantee has been carefully examined, and our labours in this direction have been immensely facilitated by the welcome assurance which the Turkish delegation gave us recently regarding their intention of applying for membership of the League of Nations. As I said at the time, I think that that decision will help us materially in solving more than one of our present problems. It has enabled us to find a guarantee, the formal method of giving effect to which was adopted with general consent by the League of Nations in the case of the Aland Islands. Accordingly, you will find, in the last section of the proposals which are now before you, a draft clause in which a guarantee is given against a menace to the security of the demilitarised zones, including Constantinople, and against interference with the maintenance of the freedom of navigation of the Straits. In the latter aspect the guarantee will be of value both to Turkey and to the nations of the world. I think that this guarantee, supplementing as it does the general guarantees which will be secured by Turkey in joining the League of Nations, should go far to convince the Turkish delegation and Turkish public opinion that the proposals which have been laid before you by the inviting Powers contain no menace to the sovereignty or the security of the Turkish State. On the contrary, they will be found to remove the causes of future conflict and to give Turkey the confidence and assurance which is so necessary to her future development and prosperity.

"I have confined myself in these introductory remarks to a short exposition of the scheme which has been circulated, and any further explanation that may be called for in the course of the present discussion will be willingly provided by our experts or by myself. I shall now ask M. Barrère, who has devoted particular attention and interest to the subject, to address the commission on the general principles which have inspired our proposals and to define the objects which we hope these proposals will enable every country here represented to secure."

M. BARRÈRE made the following speech :—

"Now that we are beginning to discuss the texts which are designed to ensure the freedom of the Straits—a matter which interests not only the States represented here, but also all the maritime nations of the world—I think it will be useful if I define the ideas which have guided the three inviting Powers in drafting the proposals submitted to the conference.

"I will begin by recalling the different phases of this question.

"Before the war the Straits were closed by virtue of treaties binding on all the Powers, and no one has forgotten the grave consequences which ensued. Out of respect for their undertakings, and at a time when there was no material obstacle in their path, France and England abstained from pursuing an enemy who had deliberately violated his pledged word by penetrating into the prohibited waters.

"The results were disastrous. The Allies were separated from one another; Turkey—contrary to all her interests—was forced into the war, and thus the war itself was greatly prolonged; the whole world still bears the grievous burden of all the misery to which these events gave rise. On the day of their victory the Allies resolved that the dangers of this situation must never be allowed to recur.

"The Allies therefore entered the Straits and the Black Sea after the armistice of Mudros, and the régime of those waters to-day is one of complete liberty without any limitation or control.

"The purpose of the scheme which we have drafted is to institute for the future a liberal and moderate régime based on the requirements of peaceful relations; it cannot give rise to any anxiety as regards the safety of the littoral States, and respects their sovereignty.

"The general principles by which our experts have been guided in drawing up these proposals are as follows: to accomplish a work of peace, *i.e.*, to lay down rules which ensure complete freedom for commercial exchange and peaceful relations, and contain nothing which could give rise to the slightest distrust or to the suspicion that they might create facilities with a view to war; and to establish complete equality of treatment for great and small.

"These principles are guaranteed as regards commercial navigation by complete freedom of passage, night and day, in war and in peace, without any of those hindrances (control, levying of tolls, &c.) which would cause a break in the voyage and thus seriously reduce the earnings of a ship.

"As regards warships, only a small tonnage is authorised; this is indicative of equality between the Powers and shows that there is no idea of aggression against the littoral States. The tonnage in question must in no case exceed that of such portion of the littoral fleets as is in active commission. The naval force which the Powers are authorised to send into the Black Sea is actually limited to three vessels, of a maximum strength equivalent to three cruisers of no great military value.

"Are we not thus dedicating war fleets to their true mission in time of peace as a power for good—a mission which the United States representative has illustrated by reminding us that destruction is a most exceptional incident in the life of a man-of-war?

"You will also note that under the régime which we propose the principle of sovereignty is laid down in two explicit provisions. One of these reserves to each country the right to regulate the stay of warships in its ports by fixing the number of those ships and the duration of their stay. The other embodies the sacred right of national defence in the event of war, by laying down that when a Power has accepted certain measures of demilitarisation in zones of no great extent, it shall enjoy without restriction complete freedom to utilise all the means at its disposal for the purpose of ensuring the safety of its territory.

"What then remains of this demilitarisation? Hardly anything but a symbol; a symbol of peace, of loyal and confident goodwill: an act of homage by the Turkish people to that universal peace to which the world now aspires, after passing through the sore trial which will weigh heavily on it for a long time to come.

"I must also make mention of the guarantees which Turkey might be entitled to claim in return for giving these pledges of peace of her own free will. At first sight it would seem somewhat difficult to reach agreement. May not this be due to the fact that material security alone is being sought in a sphere where highest moral issues are of paramount importance?

"In point of fact, history shows us that the rigorous precautions taken by men have often been of no avail against dishonesty, and that the strongest of all guarantees is that based on plighted word and on concern for national honour. Did any guarantees ever seem more sure than that of the neutrality of Belgium, or that of the inviolability of the Straits? What has remained of all that? Nothing, or next to nothing, thanks to this violation of a solemn promise at the very outset. And could any more convincing proof of loyalty be given by those in whose name I am speaking—who refused to follow their adversaries in the path of crime?

"For these reasons a guarantee confined to a few Powers only can never by itself constitute an adequate restraint, no matter what form it may take or what obligations it may impose. What must be sought is the backing of a moral force, of such a nature as to give pause to any who might attempt to infringe the free régime now to be instituted.

"It is to that moral force that the inviting Powers make appeal when they propose to place the stipulations which they have in view under the auspices of the League of Nations. In this way these stipulations will become something more than an engagement, imposing and solemn though that engagement may be in consequence of the number and importance of the States who enter into it. They will in a sense become an integral part of the international code of all the Powers included in that association, which was formed immediately after the most cruel war in history for the purpose of raising the rampart of moral solidarity against future attempts to violate peace.

"The Turkish Government will understand that the placing of the Straits régime under the auspices of the League of Nations signifies its being entrusted for safe keeping to general public opinion—a force which few countries, I feel sure, would dare to defy.

"I am entirely confident that the Turkish delegation, who have often in the course of our discussions displayed such a true understanding of their national interests, will appreciate the full merit of the equitable, moderate and exceedingly liberal proposals now submitted to them, which, if adopted, will constitute a pledge of lasting peace in the East and throughout the world. It has come to my knowledge that our Turkish colleagues, being as keenly desirous of peace as the other Powers, wish for a rapid conclusion of these debates. Nothing could expedite the attainment of that object more than the solution of the Straits problem on the lines proposed by us. The three inviting Powers are of opinion that this solution give more guarantees than any other.

"I have only one word to add. We attach great value to the collaboration of his Excellency Ismet Pasha, and I venture to hope that with his collaboration agreement will be reached to-day for the settlement of the Straits régime. If this should come to pass, I will see in it a sure sign of success for the conference, of the rapid conclusion of a treaty of peace, of the prompt and happy accomplishment of the work of pacification with which we are entrusted, and for which we are responsible in the eyes of the world."

Marquis Garroni recalled the fact that in all her acts Italy's conduct had always been inspired by the principle of the greatest possible freedom in the political as well as in the administrative and economic sphere. These were the principles which inspired Italy in the Straits question to demand the freedom of navigation. In Italy's view special circumstances could not entitle anyone to impede free navigation in the Straits. That freedom of navigation was indispensable, and that was why the scheme now under discussion had been drafted. After the statements made by the president of the commission and M. Barrère, there was no need for the Italian delegate to dwell upon the merits of the scheme. He only wished to conclude by asserting that Italy wished for the freedom of the seas, and also hoped that the littoral States of the Black Sea would be able to find the proposed arrangements advantageous.

Ismet Pasha said that in his statement of the 8th December he had already had the honour to outline the principles which should govern freedom of passage through the Straits and their demilitarisation; he now proposed to set forth in detail the modifications which the Turkish delegation suggested in the drafts handed in by the Allied Powers. These modifications concerned the two drafts relative to freedom of transit through the Straits and to the demilitarisation of the Straits zone.

He wished to make it clear that the Turks had accepted certain stipulations in regard to the demilitarisation of the Straits on the express condition that, apart from these stipulations, no limit of any kind should be placed upon the means and methods of defence which Turkey might wish to employ, and also that the inviolability of the demilitarised Turkish frontier in Thrace should be fully guaranteed.

The amendments demanded by Ismet Pasha in the scheme of demilitarisation were based on the following considerations and details:—

1. The term "the Straits" must not include the Sea of Marmora.
2. Outside the demilitarised zones no restriction must be placed on the means of defence which Turkey might wish to employ in the Sea of Marmora.
3. The islands of Samothrace, Imbros and Tenedos, being an integral part of the Dardanelles, could not on any account be placed under the sovereignty of a foreign Power.

The presence of a Greek fleet at Lemnos would constitute a threat against the régime of the Straits. Consequently, the Turkish delegation, while reserving their full right to discuss the question of sovereignty over Lemnos, could in no way agree to the presence of the Greek fleet off the coasts of that island.

Ismet Pasha added that the modifications proposed by him related to freedom of transit and to demilitarisation. As he had not had time to examine the drafts of the Allied experts respecting the Straits Commission and the question of guarantees, he reserved the right to present his remarks on this subject at a later meeting.

Ismet Pasha observed that some of the various statements which had been made concerned the closing of the Straits during the great war—a measure carried out in accordance with the rights conferred on Turkey by treaties.

The settlement which he would recommend was one whereby it would be made impossible for a war fleet to force its passage through the Straits. On the present occasion he wished to examine freedom of transit from a pacific point of view and with absolutely peaceful intent. The Commission should concern itself solely with the question of transit through the Straits, and abstain from trespassing on matters within the province of the sovereignty of the Turkish State. He considered it most important that the political guarantee should be really efficacious, because Turkey was making an immeasurable sacrifice by renouncing the right to defend the Straits. It was necessary that the Powers should give pledges, so as to show that the demilitarisation which they demanded would not prejudice the safety of Turkey nor become a source of danger to her very existence. Ismet Pasha added that he would communicate to the secretariat of the conference the text of the modifications which he demanded.

M. Chicherin read the following statement:—

"The third variation of the scheme put forward by the inviting Powers for regulating the freedom of the Straits and the demilitarisation of their shores, which was communicated to the delegations yesterday, contains certain modifications of the first draft. These changes reveal no effort whatever to reconcile the proposals with Russia's vital interests; on the contrary, they confirm the impression that the scheme is primarily directed against Russia.

"I have made it sufficiently clear in my previous speeches that the system of free passage for warships through the Straits amounts to a perpetuation of the present abnormal situation; that it places a premium on navalism and militarism; and that it tends to render all efforts towards establishing a general and durable peace futile.

"But there is something further which I observe on comparing the last draft of the inviting Powers with the original draft. This third variation clearly reveals an attempt to give Turkey a sort of satisfaction (which is really illusory) as regards her interests and her request for safety, while pointing the aggressive elements in the scheme against Russia. Evidently the idea is to separate Turkey from Russia, to deceive her into believing that her own safety could be obtained without any guarantee being given for the safety of the shores of the Black Sea, and to expose Russia to the full weight of attack by the other Powers. The new scheme provides Turkey with a deceptive semblance of protection, and at the same time preserves intact all the threats of war with Russia as their object.

"This draft maintains the exorbitant claim to open the Straits and the Black Sea in time of war when Turkey is neutral to foreign fleets of war without any limit, *i.e.*, to expose the southern coasts of Russia and her allies to attacks by the most powerful fleets of the world. Even in peace time this draft provides for each Power sending through the Straits into the Black Sea a fleet equal to the strongest of the Black Sea littoral fleets, thus giving foreign Powers an immense supremacy in the Black Sea. Even if all the Powers of the Black Sea demilitarise, every foreign Power will be able to send into that sea three men-of-war not exceeding 10,000 tons apiece, which amounts to forbidding Russia and her allies to demilitarise.

Still worse, this draft compels Russia to arm, since her southern coasts would be open to all the attacks of non-littoral States in the event of war. The draft of the inviting Powers opens the Black Sea to fleets of non-littoral States, and yet it proposes to forbid war operations in the Straits. But it is clear that once the Straits are open to warships in time of war, it is futile and Utopian to try to stop military operations on the threshold of the Straits. The logic of war is such that only military considerations will guide the conduct of operations at sea.

" In the last draft of the inviting Powers, no restraint is placed on aeroplanes or submarines. The most destructive engines of naval warfare will thus have free access to the Black Sea.

" The demilitarisation clauses ostensibly concede to Turkey the means of defending the safety of Constantinople and of her inland territory. These alleged concessions are illusory. In reality the Dardanelles are at the mercy of the great fleets of the West, and no efficacious protection against these fleets is granted to Constantinople. In the words used by Ismet Pasha at the meeting on the 8th December, the draft of the inviting Powers can be characterised thus: if the Straits are not fortified, the most vulnerable and important districts of Turkey will be left without means of defence and at the mercy of a sudden attack. Ismet Pasha also observed that, in view of the strategic importance of the Straits, every belligerent would try to seize them; this would cause wars to arise out of disputes which might otherwise have been settled without recourse to arms; and it would further embroil Turkey in conflicts in which she would have no interests whatever. Ismet Pasha has proved unanswerably that the demilitarisation of the Straits renders peace an illusion. The last draft submitted by the inviting Powers for the demilitarisation of the Straits justifies all the apprehensions which the first Turkish delegate expressed in the words which I have quoted.

" We therefore see, on looking into the last draft of the inviting Powers, that it threatens the vital interests of Russia, violates the most elementary requirements of Turkey as regards her safety and independence, necessitates fresh naval armaments and places obstacles in the way of general peace.

" As regards the two latest schemes of the inviting Powers (communicated to the delegations yesterday evening) respecting the Straits Commission and the guarantee of the safety of the Straits, we share the desire of the Turkish delegation to be given the necessary time for studying these drafts and discussing them at a later meeting. Apart from the drafts of the Allied Powers which have been outlined to-day by the first British delegate, we have become acquainted with a counter-proposal from the Turkish delegation which we must examine also, in company with the other delegations, at one of the next meetings of the commission. Furthermore, as no sub-commission has been formed to examine the various drafts in detail, and as separate negotiations have in fact taken place between the inviting Powers and the Turkish delegation in the guise of consultation among experts, the only way left open to the Russian delegation for negotiating on these problems with the other delegations is to present a counter-proposal to the conference. This document was handed to the secretariat this morning. It embodies certain modifications in the original point of view of the Russian delegation, and also certain concessions. The Russian delegation hope that the other members of the conference will find in it some features which are likely to facilitate an agreement."

Lord Curzon said that he would reply in a few words to the two speeches which had just been delivered.

In the first place there was the statement of the Turkish delegation, which was couched in tones of conciliation and moderation. He would have been glad if Ismet Pasha had at the beginning of his remarks expressed some sense of the great advance made in the direction of meeting the wishes of the Turkish delegation, as shown in the revised proposals now before the commission; but Ismet Pasha was apparently more concerned in indicating his own point of view than in expressing gratitude, and Lord Curzon would therefore confine himself to Ismet Pasha's criticisms.

Ismet Pasha had asked that certain modifications should still be introduced as regards the defence of the Sea of Marmora, the demilitarised zones, and the islands. Lord Curzon was, of course, ready to give these requests every consideration, although he was under the impression that the points mentioned had already been fully discussed several times over. He hoped that it would be possible to deliver the considered reply of the Allies on these subjects the following morning, when he would also be ready to furnish any explanations which might be desired in regard to the Straits Commission and the political guarantees. He trusted that Ismet Pasha would likewise be ready with his observations on these two subjects at the beginning of the next day's proceedings.

Turning to the remarks of the Russian delegation, Lord Curzon was disappointed to notice the spirit in which the revised Allied proposals had been received by M. Chicherin. As M. Barrère had just explained in his most eloquent and powerful speech, the Allies were all imbued with the idea that substantial concessions had been made in those proposals not only to Turkey, but also to Russia. M. Chicherin had said that the guarantees offered to Turkey were illusory. Surely, that was a remark which should rather have come from Ismet Pasha; but as it had not, Lord Curzon could only note the substantial difference between the attitude of the Turkish and Russian delegations in this respect. Then again, M. Chicherin had discovered in the Allied proposals indications of aggressive intentions towards Russia, and had said that the scheme rested on a menace of war. Lord Curzon wished he could get that idea out of M. Chicherin's mind. If he persisted in arguing that all the Allied proposals were directed against Russia, the conference would never make any advance at all. Each delegation must really pay some regard to the others, and in point of fact the Allied proposals had no such basis or motive as M. Chicherin assumed. The Allies were just as anxious to do justice and to obtain the assent and co-operation of Russia as of Turkey. For instance, the Powers were now binding themselves not to send into the Black Sea any naval force superior to that of the Black Sea littoral Powers. M. Chicherin interpreted this as a menace; but the clause had been introduced by the Powers with a precisely opposite intention, as a limitation on themselves, which implied recognition of the rights and interests of Russia.

Lord Curzon did not wish to argue the matter at great length, but proposed to put the case into two or three sentences. The old policy of the Powers, which had been pursued up to the time of the recent war, had been to shut the Straits because the Powers feared that Russia might come out to attack them. Russia now wanted to pursue the same policy in an inverse sense, namely, to close the Straits in order that the Powers might not come in to attack her. Why should it be impossible to adopt the new conception of creating in all straits of the world the maximum of free transit for all? Why could not Russia accept the Allied proposals, with all their advantages and their very small obligations, as readily as the Allies themselves? The proposals made by the Allies ten days ago had been received with assent and almost with enthusiasm throughout the world. It would be very unfortunate if the only note of hostility and criticism came from the present conference, and from the Russian delegation alone.

M. Chicherin had again complained that the present question had not been debated in a sub-commission. As M. Chicherin had already been informed several times, the reason for this was that the Straits question, being so important as affecting all the States concerned, was more suitable for discussion in the commission itself. This had been his own view and that of his colleagues from the start. As regards the examination of the question by experts, there had been no separate negotiations in this any more than in any other cases. When questions assumed a technical form the practice always was to leave the discussion to experts. The Allies would have been very glad if the Russian experts had taken a larger part in these discussions on the Straits. He could assure M. Chicherin that in the present instance there had been no departure from the ordinary procedure and no disrespect towards M. Chicherin or his colleagues.

M. Chicherin had spoken of a counter-*projet* which was to come from the Turks. If this *projet* were forthcoming, the commission would doubtless have heard of it from the Turkish delegation. Finally, M. Chicherin had spoken of a Russian counter-*projet*. Lord Curzon had only received that document just before the present meeting, but he was not going to ask for a sub-commission to discuss these two documents. He would examine them himself the same evening with his colleagues and the experts and would deliver the considered reply of the Allies on the following morning. He would therefore propose to adjourn the meeting unless any other delegation wished to speak at once.

M. CHICHERIN wished to make a few remarks in reply to the first British delegate, without going into the whole question in detail. As regards the fundamental principles outlined by Lord Curzon, it seemed to the Russian delegation more modern, more advanced and more progressive to try to limit the arena of military operations and shut off certain seas or straits from those operations and from movements of warships, than to enlarge that arena, open more seas to warships, and increase the size of naval forces. The Russian delegation had all the more right to speak thus since they had presented a declaration signed by M. Chicherin together with their counter-scheme, whereby they undertook in the event of the adoption of their counter-proposal for the closing of the Straits to suggest to the littoral Powers of the Black Sea the summoning of a conference for the purpose of laying down reciprocal conditions for the real safety of the shores of that sea.

The information of the Russian delegation regarding public opinion in various countries on this question did not altogether tally with the statements made by the first British delegate. M. Chicherin felt bound to answer the reproaches made by the first British delegate against the Russian delegation of having misunderstood the conciliatory dispositions of the inviting Powers. The Russian delegation would, on the contrary, be very glad if they were able to discern on the side of the inviting Powers any acts which showed consideration for the vital interests of Russia, for only acts of this kind could give them proof of friendly sentiments on the part of those Powers.

There was one proposal of the inviting Powers which the first French delegate had quoted as a most striking example of moderation, namely, that each Power should under certain conditions have three men-of-war of 10,000 tons each in the Black Sea; but the non-littoral Powers were only to maintain their three war vessels in that sea in the event of the total demilitarisation of the Black Sea Powers, and if no demilitarisation took place they would be able to keep a larger number. The only force which the first French delegate could present as a real guarantee for the safety of the Straits was a moral power, the League of Nations. But that League was not recognised by Russia; the United States and Germany were not members of it; and as a guarantee for safety it had been powerless to protect Lithuania. It had not been able to do anything when confronted with a sudden blow by a general whom his own country disowned at that very moment. The League was organised impotence. Such was the only guarantee of safety which the first French delegate proposed to give to Turkey after demilitarising the Straits.

The Russian delegation greeted with pleasure the president's assurance that the counter-scheme which they had submitted would be examined in detail by the present commission, and that they would have opportunity when discussing these proposals with the other delegations to furnish the latter with proofs of their desire for conciliation, provided that the vital interests of Russia were respected.

LORD CURZON wished to correct M. Chicherin on one point. He (Lord Curzon) had said that the Allies were quite prepared to give full consideration to the Russian proposal and deliver their answer the next day, but he had said nothing to indicate that he was now prepared at the last moment to take the Russian draft line by line and word by word. Such procedure would detain the conference in Lausanne for six months. He did not propose to turn the present commission into a sub-commission for detailed examination of any proposals which anybody might bring forward.

Ismet Pasha wished to define the present position. At the last meeting of the commission it had been decided that the Turkish experts should get into touch with the Allied experts, and that the latter should furnish the former with all such explanations as they might desire. Ismet Pasha thanked the Allied experts for the manner in which they had kindly answered the questions put to them; but on certain occasions he had noticed that the experts did not possess the same authority as members of sub-commissions to decide difficult points, and consequently matters of essential importance had perforce been left unsolved as being outside the experts' powers. The Turkish delegation had therefore considered it necessary to embody in two drafts the modifications which they proposed to make in the drafts of the Allied experts. Some of these modifications concerned demilitarisation and others the freedom of transit, and they must be studied paragraph by paragraph. The Turkish delegation had the right to request that these proposals should be examined and taken into consideration either by the commission itself or by a sub-commission.

Lord Curzon feared that he was unable to accept the position taken up by Ismet Pasha. Time was going on; the conference had been at work for over four weeks; the last meeting on the Straits question had been held ten days ago; since then there had been constant conversations and explanations between the Allied and the Turkish experts. The Russian delegation had now suddenly sprung upon the conference an entirely new *projet*. Why had they not done so a week ago? Then Ismet Pasha had just informed the commission that he had two *projets* to put forward and apparently expected time to be found for their discussion. If that was so, why had these *projets* not been heard of before? The Allies would never have wasted ten days in discussions among the experts if they had known that two new Turkish schemes were to be produced. He must say with the utmost emphasis that business could not be conducted in such a way. Ismet Pasha knew perfectly well that he (Lord Curzon) had always been willing to consider every Turkish representation, but neither his colleagues nor he could go on indefinitely examining new proposals in detail three weeks after the beginning of the discussion. He was quite prepared to listen with respect to whatever the Russian and Turkish delegations might have to say the next day, but for his own part he would not initiate any new and prolonged examination of a scheme submitted at the last moment, and he appealed to his colleagues in the conference to support him in that attitude.

M. Barrère thought that Lord Curzon's remarks were perfectly correct and entirely concurred in them. He wished, however, to put one question to the Turkish delegation. Ismet Pasha had begun by saying that he had certain amendments to propose. Subsequently he spoke of two new drafts. There would appear to be some misunderstanding. Did the Turkish delegation accept the Allied draft in principle, provided they could suggest amendments in it? In that event the Allied delegations and the Turkish delegation would be in agreement, and their points of view would differ only as regards wording and not on questions of fact.

Marquis Garroni did not want to make any remarks which might prolong the discussion, and entirely agreed with the statement just made by the president. He only wished to recommend that all should contribute their share of goodwill to the discussion, for otherwise the debates of the commission would never come to an end.

M. Chicherin explained briefly that the Russian-Ukrainian-Georgian delegation had not been able to present their counter-scheme sooner, because more than a week had elapsed since the last meeting of the Straits Commission. They had only become acquainted with the Turkish proposals at the last meeting, and despite their requests no sub-commission had been called together. Consequently it had been impossible to submit a counter-scheme either to the commission or to a sub-commission. The best means of shortening the work of the conference would have been to create a sub-commission.

Two of the proposals of the inviting Powers (the third and the fourth) had only been handed to the Russian delegation at 11·30 on the previous evening. The inviting Powers were therefore on the same level as the Turkish and Russian delegations.

He hoped that the inviting Powers would take account of the position of the Russian and Turkish delegations, and would not arrogate to themselves any privileges which would violate the principle of equality between the participating Powers.

Ismet Pasha thought it necessary to give some explanations regarding the Turkish point of view. The Turkish delegation had become acquainted with the drafts communicated by the Allies. The experts had come together and studied these drafts, and they had made as many modifications in them as they could. Ismet Pasha had himself attended these meetings, and the Allied experts had admitted to him that there were some questions which lay outside their competence. On the Turkish side certain proposals had been made, but the Allied experts had avoided examining them. The Turkish delegation were thus only defining the points on which the experts had reached agreement and those on which it had not even been possible to start a discussion, either because the experts were not empowered to do so or because the difference of opinion was too great. In this connection Ismet Pasha renewed his statement that the modifications which he was now submitting in textual form referred to demilitarisation and freedom of transit, and that as the two other Allied drafts (those respecting the duties of the Commission of the Straits and the political guarantee) had not been received in time, he would not be able to present his observations on these matters until a later date.

Ismet Pasha also wished to answer M. Barrère's question respecting the acceptance in principle of the drafts which had been submitted. The Turkish delegation had only been able to study one part of these drafts, in particular that which dealt with demilitarisation—*i.e.*, a régime under which it was assumed that no fortifications would exist. With a view to removing the inconvenience which must arise from such a situation, the Turkish delegation were putting forward certain proposals which required to be discussed and studied either in a sub-commission or in a commission, where they would produce arguments in support of their point of view. This did not imply either acceptance or refusal of the drafts in question. Ismet Pasha therefore thought that the best course would be to submit to the commission the modifications which he proposed; they could then be examined, and the Allies would be in a position to give their answer as soon as practicable.*

LORD CURZON saw no use in pursuing the discussion further at the present meeting. It was not quite fair for Ismet Pasha to say that he had not had an opportunity of making his views known during the past ten days. Lord Curzon himself knew Ismet Pasha's views on every point, for his Excellency had been kind enough to state them repeatedly to the experts and various members of the Allied delegations, and it was in deference to his views that the Allied proposals had been revised. But to begin the whole discussion over again was out of the question. Ismet Pasha would have plenty of opportunity the following morning for stating his views to the commission, but, as Marquis Garroni had just said with so much force, it must be remembered that if the conference were to begin wrangling over little details it would continue for six months. The greater part of the questions at issue had already been thoroughly studied; delegates might pretend that they did not know each other's views, but in point of fact they did know them perfectly. He suggested that a serious effort should be made on the following day to carry the matter a definite stage further towards solution.

(*The commission rose at* 7 P.M.)

ANNEX (A) TO NO. 19.

(Third Draft.) *December* 14, 1922.

FREEDOM OF THE STRAITS.

Rules for the Passage of Vessels through the Dardanelles, Sea of Marmora and Bosphorus.

(*Note.*—The term "Straits" for this purpose shall include the Dardanelles, the Sea of Marmora and Bosphorus.)

ARTICLE 1.—*Merchant Vessels, including Hospital Ships, Yachts and Fishing Vessels and Non-Military Aircraft.*

(a.) *In Time of Peace.*

Complete freedom of navigation and passage by day and by night under any flag and with any kind of cargo, without any formalities, or tax or charge whatever, unless for services directly rendered, such as pilotage, light, towage or other similar charges, and without prejudice to the rights exercised in this respect by the services and

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*** For the text of the modifications suggested by the Turkish delegation, see Annexes (F) and (G).**

undertakings now operating under concessions granted by the Turkish Government.*

Pilotage remains optional.

(b.) *In Time of War, Turkey being Neutral.*

Complete freedom of navigation and passage by day and by night under the same conditions as above.

The duties and rights of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above, must remain entirely free in the case of neutrality just as in ordinary times of peace.

Pilotage remains optional.

(c.) *In Time of War, Turkey being a Belligerent.*

Freedom of navigation for neutral vessels and neutral non-military aircraft, if the vessel or aircraft in question does not assist the enemy by carrying contraband, troops or enemy nationals. Turkey will have the right to search such vessels or aircraft, and for this purpose aircraft are to land on the ground or on the sea in such areas as are specified and prepared for this purpose by Turkey.

The rights of Turkey to enforce international rules in respect of enemy vessels hold good. Turkey will have full power to take such measures as she may consider necessary to prevent enemy vessels from using the Straits. These measures, however, are not to be of such a nature as to prevent the free passage of neutral vessels.

Turkey agrees to provide vessels with either the necessary instructions or pilots for the above purpose.

ARTICLE 2.—*War Vessels*† *and Military Aircraft.*

(a.) *In Time of Peace.*

Complete freedom of passage by day and by night under any flag without any formalities, or tax, or charge whatever, but with the undermentioned reservation as to the total force:—

> The maximum force which any one Power may send through the Straits into the Black Sea is not to be greater than that of the most powerful of the littoral Powers of the Black Sea existing in that sea at the time of passage, but with the proviso that the Powers at all times and under all circumstances reserve to themselves the right to send a minimum force of three ships into the Black Sea, of which three ships no individual ship shall exceed 10,000 tons.‡

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* To facilitate the collection of these dues, merchant vessels passing the Straits will communicate to stations appointed by the Turkish Government their name, nationality, tonnage and destination.

† The term "war vessels" for this purpose to include fleet auxiliaries, troopships and aircraft carriers.

‡ To carry out this article, each Black Sea littoral State will report to the Straits Commission on the 1st January and the 1st July of each year the number of each of the following classes of vessel which they possess in the Black Sea: battleships, battle-cruisers, aircraft carriers, cruisers, torpedo-boat destroyers, submarines, naval aircraft; distinguishing between the ships

Turkey has no responsibility in regard to the number of foreign war vessels which pass through the Straits.

(b.) *In Time of War, Turkey being a Neutral.*

Complete freedom of passage by day and by night under any flag, without any formalities, or tax, or charge whatever, under the same limitations as in article 2 (*a*), provided, however, that these limitations will not be applicable to any belligerent Power to the prejudice of its belligerent rights in the Black Sea.

The duties and rights of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above, must remain entirely free in the case of neutrality, just as in ordinary times of peace.

War vessels and military aircraft of belligerents will be forbidden to make any capture, to carry out the right of visit and search, or carry out any other hostile act within the zone of the Straits, and will be forbidden to remain more than twenty-four hours beyond the time necessary to pass through the Straits, unless detained by *force majeure*.

As regards revictualling and carrying out repairs, war vessels will be subject to the terms of the Thirteenth Hague Convention of 1907, dealing with maritime neutrality. Military aircraft will enjoy not less favourable treatment than is thus accorded under the Thirteenth Hague Convention to war vessels, pending the conclusions of an international conference, which shall lay down neutrality rules for aircraft.

(c.) *In Time of War, Turkey being a Belligerent.*

Complete freedom of passage for neutral warships, without any formalities, or tax, or charge whatever, but under the same limitations as in article 2 (*a*).

Neutral military aircraft will make the passage of the Straits at their own risk and peril, and will submit to investigation as to their character. For this purpose aircraft are to land on the ground or on the sea in such areas as are specified and prepared for this purpose by Turkey.

The means taken by Turkey to prevent enemy ships using the Straits are not to be of such a nature as to prevent the free passage of neutral ships and aircraft.

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of war which are in active commission and the ships with reduced complements, and the ships in reserve and the ships undergoing repairs or alterations.

The Straits Commission will then inform the Powers concerned that the strongest naval Power in the Black Sea possesses : . . . . battleships, ... battle-cruisers, ... cruisers, ... torpedo-boat destroyers, ... submarines, ... aircraft.

The Straits Commission will also immediately inform the Powers concerned when, owing to any ship of the strongest Black Sea Power passing through the Straits, any addition or reduction of force has arisen.

The naval force that may be sent through the Straits into the Black Sea will be calculated on the number of ships of war which are in active commission only.

Turkey agrees to provide ships with either the necessary instructions or pilots for the above purpose.

Note.—1. The passage of the Straits by submarines of Powers at peace with Turkey must be made on the surface.

2. The officer in command of a foreign naval force, whether coming from the Mediterranean or the Black Sea, will, as a matter of courtesy, communicate to a signal station at the entrance to the Dardanelles or Bosphorus the number and the names of vessels under his orders which are entering the Straits.

These signal stations shall be designated from time to time by Turkey; if no such signal station is erected or designated, the freedom of passage for foreign war vessels in the Straits is not thereby prejudiced, nor is their entry into the Straits to be for this reason delayed.

3. The right of military and non-military aircraft to fly over the Straits under the conditions mentioned in the present rules necessitates for aircraft—

(*a.*) Freedom to fly over a strip of territory of about 15 kilom. where the Straits are narrow.

(*b.*) Liberty, in the event of a forced landing, to land on the coast or on the sea in the territorial waters of Turkey.

ARTICLE 3.—*Stay in the Ports of the Straits and of the Black Sea.*

(*a.*) Articles 1 and 2 apply to the passage of ships and aircraft through and over the Straits and do not affect the right of Turkey to make such regulations as she may consider necessary regarding the number of men-of-war and military aircraft of any one Power which may visit Turkish ports or aerodromes at one time, and the duration of their stay.

(*b.*) Littoral Powers of the Black Sea will also have a similar right as regards their ports and aerodromes.

(*c.*) The signatory Powers who, before 1914, had the right of maintaining *stationnaire* ships in the zone of the Straits shall continue to exercise that right under the former conditions.

(*d.*) The signatory Powers who have the right of maintaining vessels on the Danube shall continue to have their right and to replace these vessels by other vessels as necessary.

The vessels mentioned in 3 (*c*) and (*d*) will be additional to those mentioned in article 2.

ANNEX (B) TO NO. 19.

(Third Draft.) —— *December* 14, 1922.

DEMILITARISATION OF THE ZONES OF THE STRAITS.

(The term "Straits" includes the Dardanelles, the Sea of Marmora and the Bosphorus.)

THE measures of demilitarisation described hereafter are based on the necessity of assuring free navigation through the Straits.

With this object:

ARTICLE 1.—*Demilitarised Zones.*

The zones and islands indicated below shall be demilitarised.

1. Both shores of the passages of the Dardanelles and the Bosphorus over the extent of the zones delimited below.

Dardanelles—

On the north-west, the Gallipoli peninsula and the area south-east of a line traced from a point on the Gulf of Xeros 4 kilom. north-east of Bakla-Burun, reaching the Sea of Marmora at Kumbaghi and passing south of Kavak (this village excluded).

On the south-east, the area included between the coast and a line 20 kilom. from the coast, starting from Cape Eski-Stamboul opposite Tenedos and reaching the Sea of Marmora at a point on the coast immediately north of Karabigha.

Bosphorus (with the reservation concerning the special régime for Constantinople—see article 4 below)—

On the east, the area extending up to a line 15 kilom. from the eastern shore of the Bosphorus. On the west, the area up to a line 15 kilom. from the western shore of the Bosphorus.

2. All the islands in the Sea of Marmora, with the exception of the island of Emir Ali Adasi.

3. In the Ægean Sea, the islands of Samothrace, Lemnos, Imbros, Tenedos and Rabbit Island.

ARTICLE 2.—*Demilitarisation Clauses.*

With the reservation of special conditions concerning Constantinople:

There shall exist in the demilitarised zones and islands no fortifications, no permanent artillery organisation, no searchlight organisation, no submarine engines of war, no military aerial organisation, no naval base.

In the territorial waters of the demilitarised zones and islands, there shall exist no submarine engines of war.

No armed forces shall stay in the demilitarised zones and islands, except the police and gendarmerie forces necessary for the maintenance of order (their armament will be limited in the same conditions as that of the gendarmerie and of the police forces of the demilitarised zone in Thrace).

It is, however, specified that in their respective territory in the demilitarised zones and islands, as well as in the territorial waters of these zones and islands, the Turkish and Hellenic Governments shall have the right—

(*a*.) The Turkish Government, to send across armed forces in transit; the Greek Government, to carry out the necessary movements for the assembly or the dispersal of the island contingents to be instructed.

(*b*.) To organise a system of observation and communications both telegraphic, telephonic and visual.

(*c*.) For their fleets to navigate and anchor.

ARTICLE 3.—*Régime of the Zones of the Straits outside the Demilitarised Zones, that is to say, of the Sea of Marmora and its Coasts.*

No submarine engines of war shall be installed in the waters of the Sea of Marmora or on its coasts.

Further, the Turkish Government shall not instal any permanent battery, capable of interfering with the free passage of the Straits, in the coastal zone of the European shore of the Sea of Marmora and in the coastal zone on the Anatolian shore to the east of the demilitarised zone of the Bosphorus as far as Darije.

ARTICLE 4.—*Special Dispositions concerning Constantinople Area.**

At Constantinople and its immediate neighbourhood there may be maintained for the requirements of the capital a garrison with a maximum strength of 12,000 men. An arsenal and naval base may also be maintained at Constantinople.

ARTICLE 5.

If, in case of war, Turkey, or Greece, availing herself of the rights of a belligerent Power, should in any way modify the state of demilitarisation described above, she will be bound to re-establish the *status quo ante bellum* as soon as peace is concluded.

ANNEX (C) TO NO. 19.

Draft Articles in regard to the International Commission of the Straits.

ARTICLE 1.

There shall be constituted at Constantinople an international commission composed in accordance with article 3, and called the "Straits Commission."

ARTICLE 2.

The commission will perform its functions within the geographical limits defined in articles .

ARTICLE 3.

The commission will be composed of a representative of Turkey, who shall be president, and representatives of France, Great Britain, Italy, Japan, Bulgaria, Greece, Roumania and the Serb-Croat-Slovene State, and a representative of Russia as from the time when she adheres to the present convention.

The United States, in the event of their adhering to the present convention, will also be entitled to have one representative on the commission.

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* For the purposes of this paragraph, Constantinople includes Stamboul, Pera, Galata, Scutari, as well as the Princes Islands.

ARTICLE 4.

The Governments represented on the commission will pay the salaries of their representatives. Any incidental expenses incurred by the commission, such as those resulting from the employment of a technical staff, will be borne in equal shares by the said Governments.

ARTICLE 5.

It will be the duty of the commission to see that the public services concerned with navigation in the Straits comply with the conditions necessary to ensure the security of passage.

The commission will, in particular, be thus concerned with—

(*a*.) The lighting of the coasts and harbours.
(*b*.) The buoying of channels and anchorages.
(*c*.) Pilotage.
(*d*.) Towage.
(*e*.) Removal of wrecks which may impede navigation.

It will also be the duty of the commission to see that the provisions relating to freedom of passage and the special measures prescribed in articles (limitation and demilitarisation of warships) are duly carried out.

ARTICLE 6.

The Straits Commission will carry out its functions under the auspices of the League of Nātions, and will address to the League an annual report giving an account of its activities and furnishing all information which may be useful in the interests of commerce and navigation.

ARTICLE 7.

It will be the duty of the commission to prescribe such regulations as may be necessary for the accomplishment of its task. These regulations must be framed in a spirit of perfect equality between all flags and must be such as to facilitate to the fullest degree possible passage through the Straits.

In particular, vessels which in consequence of damage or other circumstances constituting *force majeure* are compelled to anchor in any port or at any point round the coasts of the Straits shall not be liable on that account to pay port dues, provided that they do not take part in any commercial operations.

ANNEX (D) TO NO. 19.

Draft Article Respecting the Guarantee of the Safety of the Straits.

IN order to ensure that the demilitarisation of the Straits and of the surrounding zones shall not constitute an unjustifiable danger to the military security of Turkey, the high contracting parties agree as follows:—

Should the freedom of navigation of the Straits, or the security of the demilitarised zones, be imperilled by a violation of the provisions relating to freedom of passage, or by war, the high contracting parties will at once apply, either individually or in combination, to the Council of the League of Nations, in order to obtain a decision as to the measures to be taken. The Straits Commission provided for in article will also be entitled to bring to the notice of the council any circumstance which it considers likely to imperil the freedom of navigation of the Straits or the security of the demilitarised zones.

The high contracting parties undertake to contribute to the measures which may accordingly be decided on by the council.

If unanimity cannot be reached, each of the high contracting parties will be entitled to take individually such measures as a two-thirds majority of the council may approve. The vote of the Power alleged to have imperilled the freedom of navigation of the Straits or the security of the demilitarised zone will not count in the computation of either unanimity or a two-thirds majority.

ANNEX (E) TO No. 19.

(Translation.)

The Russian Delegation's Draft.

Regulations for the Passage of Vessels through the Dardanelles, the Sea of Marmora and the Bosphorus.

CHAPTER I.—*General Provisions.*

Article 1. The term "the Straits" used below includes the Dardanelles, the Sea of Marmora, the Bosphorus and the islands in the Ægean Sea adjacent to the Straits (Samothrace, Imbros, Tenedos, Lemnos and Rabbit islands), as well as the territorial waters of the Straits.

Art. 2. The sovereignty of Turkey over the Straits is confirmed. The islands of Samothrace and Lemnos are declared to be autonomous.

CHAPTER II.—*Rules for the Passage of Vessels through the Straits.*

1. *In Time of Peace.*

(a.) *Merchant Vessels and Commercial Aircraft.*

Art. 3. Complete freedom of passage through the Straits for merchant vessels and commercial aircraft under any flag, by day and by night.

Commercial aircraft fly over the Straits in conformity with the stipulations of the aerial conventions signed by the Turkish Government or the special rules published by the said Government.

(b.) *War Vessels and Military Aircraft.*

Art. 4. In virtue of long-established principle, the Straits are recognised as closed to the war vessels, including submarines, of all fleets, except that of Turkey.

Art. 5. Passage over the Straits is prohibited to all military aircraft, except those belonging to Turkey.

Art. 6. In very exceptional cases, however, and for special definite reasons, the Turkish Government may, by special decrees, which shall be published separately on each occasion, authorise the passage of the Straits in both directions by light warships (submarines excluded) of any flag, but on no account with a military object.

Art. 7. No landing shall be made within the Straits by the light warships allowed by the Turkish Government to pass the Straits in virtue of article 6. Neither may any armament, engine of war, munitions nor any other war material be landed from these vessels.

Art. 8. Every light warship authorised to pass the Straits must notify the Turkish Government beforehand of the time of its entrance into the Straits so as to enable the said Government to verify the permission issued.

2. *In Time of War, Turkey being Neutral.*

(a.) *Merchant Vessels and Commercial Aircraft.*

Art. 9. Article 3 of these regulations remains operative. Turkey, however, will enjoy all the rights and fulfil all the obligations prescribed by international law in order to safeguard her neutrality as a sovereign State.

(b.) *Warships and Military Aircraft.*

Art. 10. In exceptional individual cases and for special definite reasons, the Turkish Government may authorise the passage of the Straits by light* neutral warships (submarines excluded), in conformity with the rules established by articles 6, 7, 8 and 9.

Art. 11. No warship of the belligerent Powers (submarines included), no military aircraft belonging to the belligerent Powers and no aircraft belonging to a neutral Power will be allowed to pass the Straits.

3. *In Time of War, Turkey being a Belligerent.*

(a.) *Merchant Vessels and Commercial Aircraft.*

Art. 12. Merchant vessels and commercial aircraft of neutral Powers will be allowed freely to pass the Straits in conformity with articles 3 and 9 of these regulations. Turkey, however, will enjoy the rights allowed by international law to Powers in a state of war; particularly, Turkey as a belligerent will have the right to search merchant vessels passing through the Straits and commercial aircraft flying over the Straits. Special rules for the latter will be laid down by the Turkish Government.

Art. 13. To the merchant vessels and commercial aircraft of enemy Powers Turkey will apply the international rules in force on the subject.

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* "Light warships" are understood to be warships not exceeding 6,000 tons, with guns not exceeding 15 cm.

(b.) *Warships.*

Art. 14. In exceptional individual cases and for special definite reasons, the Turkish Government may authorise the passage of the Straits by light neutral warships (submarines excluded), in conformity with the rules established by articles 6, 7, 8 and 9, subject to the right of Turkey to apply the rules which she considers necessary in her capacity as a belligerent party.

CHAPTER III.—*Guarantees.*

Art. 15. Turkey undertakes towards all the signatories of these regulations jointly and to each signatory severally to see to the enforcement of these regulations.

Art. 16. In conformity with the provisions of articles 2 and 15 of these regulations Turkey, in order to safeguard her sovereignty and to enforce the principle of the closure of the Straits to warships and military aircraft, will have the right to take all the necessary measures, and particularly :—

(*a.*) To maintain free from any restriction, within the zone of the Straits, military and naval forces (submarines included) and air forces.

(*b.*) Freely to erect permanent fortifications and permanent emplacements for artillery of any calibre.

(*c.*) To lay mine-fields.

(*d.*) To construct military routes and railways, roads and other means of communication necessary for her defence.

(*e.*) To organise any methods of liaison and observation.

(*f.*) To maintain military and naval bases of defence, and aerodromes.

(*g.*) Generally to organise the defence of the Straits by employing there all technical resources of warfare which are now and which may in the future come into use.

CHAPTER IV.—*Technical Provisions.*

Art. 17. Without prejudice to the sovereignty of Turkey and with a view to provide for the needs of commercial shipping, an international commission will be constituted, consisting of one representative of each littoral State of the Black Sea and one representative of each of the following States: Germany, United States of America, France, Great Britain. Italy and Japan.

Art. 18. The president of the commission will be the Turkish delegate; the seat of the commission is fixed at Constantinople.

Art. 19. Turkey undertakes to place at the disposal of the commission the number of pilots necessary to ensure commercial navigation in the Straits.

Art. 20. The statute of the commission will be laid down in detail in a special convention, which will be drawn up with the co-operation of the States specified in article 17 within a period of three months from the date of the signature of these regulations.

Chapter V.—*General Provisions.*

Art. 21. The contracting Powers are agreed to elaborate and sign within three months from the adoption of the present regulation an international Act recognising the Black Sea as a *mare clausum* of the littoral Powers, even in the event of changes being made in the régime of the Straits which modify the above stipulations.

Art. 22. These regulations shall remain in force for ten years. After the expiration of this period they may be prolonged or revised.

[Formal clauses, ratification, &c., follow.]

Additional Declaration.

The Russian, Ukrainian and Georgian delegation declare that in the event of its draft regulations of the Straits question being adopted by the Powers, Russia, the Ukraine and Georgia undertake to propose to the littoral Governments of the Black Sea the assembling of a conference with a view to the adoption of reciprocal guarantees for the effective security of their coasts.

G. CHICHERIN,
Principal Delegate of Russia, the Ukraine and Georgia.

Ouchy, Lausanne,
December 18, 1922.

Annex (F) to No. 19.

(Translation.)

December 18, 1922.

Freedom of the Straits.	*Modifications proposed by the Turkish Delegation.*
Rules for the Passage of Vessels through the Dardanelles, Sea of Marmora and Bosphorus.	
(*Note.*—The term "Straits" for this purpose shall include the Dardanelles, the Sea of Marmora and Bosphorus.)	Omit the note.
Article 1.—*Merchant Vessels, including Hospital Ships, Yachts and Fishing Vessels and Non-Military Aircraft.*	
(a.) *In Time of Peace.*	
Complete freedom of navigation and passage by day and by night under any flag and with any kind of cargo, without any formalities, or tax, or charge whatever, unless for services directly rendered, such as pilotage,	Omit navigation.

Freedom of the Straits.	*Modifications proposed by the Turkish Delegation.*
light, towage or other similar charges, and without prejudice to the rights exercised in this respect by the services and undertakings now operating under concessions granted by the Turkish Government.*	Omit from the words "and without prejudice."
Pilotage remains optional.	Omit "pilotage remains optional." Add "Non-military aircraft will be subject to the conventions which will be concluded with Turkey and to the regulations which she will issue." Omit passage, pilotage becoming compulsory.
(b.) *In Time of War, Turkey being Neutral.*	
Complete freedom of navigation and passage by day and by night under the same conditions as above.	Omit "of navigation."
The duties and rights of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above, must remain entirely free in the case of neutrality just as in ordinary times of peace.	Omit "the air above."
Pilotage remains optional.	Omit "Pilotage remains optional," pilotage becoming compulsory.
(c.) *In Time of War, Turkey being a Belligerent.*	
Freedom of navigation for neutral vessels and neutral non-military aircraft, if the vessel or aircraft in question does not assist the enemy by carrying contraband, troops or enemy nationals. Turkey will have the right to search such vessel or aircraft, and for this purpose aircraft are to land on the ground or on the sea	Substitute "passage" for "navigation." Omit "aircraft" throughout. After the words "enemy nationals" add "Non-military aircraft will enjoy the same liberty under the conditions stated above at the end of paragraph (*a*)."

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* To facilitate the collection of these dues, merchant vessels passing the Straits will communicate to stations appointed by the Turkish Government their name, nationality, tonnage and destination.

Freedom of the Straits.	*Modifications proposed by the Turkish Delegation.*
in such areas as are specified and prepared for this purpose by Turkey.	
The rights of Turkey to enforce international rules in respect of enemy vessels hold good. Turkey will have full power to take such measures as she may consider necessary to prevent enemy vessels from using the Straits. These measures, however, are not to be of such a nature as to prevent the free passage of neutral vessels.	Omit this paragraph.
Turkey agrees to provide vessels with either the necessary instructions or pilots for the above purpose.	Substitute, "For this purpose these vessels must conform to the instructions and be under the control of pilots, who will be supplied by Turkey."
ARTICLE 2.— *War Vessels* and Military Aircraft.*	
(a.) *In Time of Peace.*	
Complete freedom of passage by day and by night under any flag, without any formalities, or tax, or charge whatever, but with the undermentioned reservation as to the total force:—	Entrance into the Straits by day only. Departure by day and by night.
The maximum force which any one Power may send through the Straits into the Black Sea is not to be greater than that of the most powerful of the littoral Powers of the Black Sea existing in that sea at the time of passage, but with the proviso that the Powers at all times and under all circumstances reserve to themselves the right to send a minimum force of three ships into the Black Sea, of which three ships no individual ship shall exceed 10,000 tons.†	In time of peace the passage of the Straits by submarines, military aircraft and aircraft-carriers is prohibited. *Passage through the Straits.*— The total force of foreign fleets passing through the Straits at the same time must not exceed the force of the Turkish fleet present at the same time between the entrance to the Black Sea and the entrance to the Ægean Sea. In any circumstances, however, the total force of the foreign fleets passing through the Straits

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* The term "war vessels" for this purpose to include fleet auxiliaries, troopships and aircraft-carriers.

† To carry out this article, each Black Sea littoral State will report to the Straits Commission on the 1st January and the 1st July of each year the number of each of the following classes of vessel which they possess in the Black Sea: battleships, battle-cruisers, aircraft-carriers, cruisers, torpedo-boat destroyers, submarines, naval aircraft; distinguishing between the ships

Freedom of the Straits.	*Modifications proposed by the Turkish Delegation.*
	simultaneously may be three vessels of less than 10,000 tons each.
	Entrance to the Black Sea.—The total force of the foreign fleets which enter the Black Sea shall not exceed the force of the strongest littoral State of the Black Sea in that sea at the moment of entrance.
Turkey has no responsibility in regard to the number of foreign war vessels which pass through the Straits.	
(b.) *In Time of War, Turkey being a Neutral.*	
Complete freedom of passage by day and by night under any flag, without any formalities, or tax, or charge whatever, under the same limitations as in article 2 (*a*),	Entrance by day only. The same limitation as that previously provided for.
provided, however, that these limitations will not be applicable to any belligerent Power to the prejudice of its belligerent rights in the Black Sea.	Omit this paragraph.
The duties and rights of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above, must remain entirely free in the case of neutrality, just as in ordinary times of peace.	Omit this paragraph. Add: "The warships of one belligerent Power may not enter the Straits before the warships of the other belligerent Power shall have quitted the Straits and the Sea of Marmora."

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of war which are in active commission and the ships with reduced complements, and the ships in reserve and the ships undergoing repairs or alterations.

The Straits Commission will then inform the Powers concerned that the strongest naval Power in the Black Sea possesses: . . . . battleships, ... battle-cruisers, ... cruisers, ... torpedo-boat destroyers, ... submarines, ... aircraft.

The Straits Commissson will also immediately inform the Powers concerned when, owing to any ship of the strongest Black Sea Power passing through the Straits, any addition or reduction of force has arisen.

The naval force that may be sent through the Straits into the Black Sea will be calculated on the number of ships of war which are in active commission only.

Freedom of the Straits.	*Modifications proposed by the Turkish Delegation.*
War vessels and military aircraft of belligerents will be forbidden to make any capture, to carry out the right of visit and search, or carry out any other hostile act within the zone of the Straits, and will be forbidden to remain more than twenty-four hours beyond the time necessary to pass through the Straits, unless detained by *force majeure.*	Omit "military aircraft" owing to the general prohibition of passage of military aircraft.
As regards revictualling and carrying out repairs, war vessels will be subject to the terms of the Thirteenth Hague Convention of 1907, dealing with maritime neutrality.	The Thirteenth Hague Convention of 1907 to be applied in its entirety.
Military aircraft will enjoy not less favourable treatment than is thus accorded under the Thirteenth Hague Convention to war vessels, pending the conclusions of an international conference, which shall lay down neutrality rules for aircraft.	Omit this paragraph.
(c.) *In Time of War, Turkey being a Belligerent.*	
Complete freedom of passage for neutral warships, without any formalities, or tax, or charge whatever, but under the same limitations as in article 2 (*a*).	The same limitation as that previously provided for.
Neutral military aircraft will make the passage of the Straits at their own risk and peril, and will submit to investigation as to their character. For this purpose aircraft are to land on the ground or on the sea in such areas as are specified and prepared for this purpose by Turkey.	Omit this paragraph owing to the prohibition of passage of aircraft.
The means taken by Turkey to prevent enemy ships using the Straits are not to be of such a nature as to prevent the free passage of neutral ships and aircraft.	Omit "aircraft."
Turkey agrees to provide ships with either the necessary instruc-	

Freedom of the Straits.	*Modifications proposed by the Turkish Delegation.*
tions or pilots for the above purpose.	
Note.—1. The passage of the Straits by submarines of Powers at peace with Turkey must be made on the surface.	Omit this paragraph.
2. The officer in command of a foreign naval force, whether coming from the Mediterranean or the Black Sea, will, as a matter of courtesy, communicate to a signal station at the entrance to the Dardanelles, or Bosphorous, the number and the names of vessels under his orders which are entering the Straits.	Omit "as a matter of courtesy." It is compulsory for warships passing through the Straits to notify their entrance to the Turkish signal stations established at the entrance to the Dardanelles and the Bosphorous. They must likewise notify their arrival to the Straits' Commission 24 hours before their entrance into the Straits.
These signal stations shall be designated from time to time by Turkey; if no such signal station is erected or designated, the freedom of passage for foreign war vessels in the Straits is not thereby prejudiced, nor is their entry into the Straits to be for this reason delayed.	
3. The right of military and non-military aircraft to fly over the Straits under the conditions mentioned in the present rules necessitates for aircraft—	Omit paragraph 3.
(*a.*) Freedom to fly over a strip of territory of about 15 kilom. where the Straits are narrow.	
(*b.*) Liberty, in the event of a forced landing, to land on the coast or on the sea in the territorial waters of Turkey	
	ARTICLE 3. The rules issued for the passage of warships through the Straits apply to the warships of Powers other than Turkey.
ARTICLE 3.—*Stay in the Ports of the Straits and of the Black Sea.*	Add "of warships" after the word "stay."
(*a.*) Articles 1 and 2 apply to the passage of ships and aircraft through and over the Straits and	After "articles 1 and 2" add "3."

Freedom of the Straits.	*Modifications proposed by the Turkish Delegation.*
do not affect the right of Turkey to make such regulations as she may consider necessary regarding the number of men-of-war and military aircraft of any one Power which may visit Turkish ports or aerodromes at one time, and the duration of their stay.	Omit "aircraft." Omit "aerodromes."
(*b.*) Littoral Powers of the Black Sea will also have a similar right as regards their ports and aerodromes.	Omit "aerodromes."
(*c.*) The signatory Powers who, before 1914, had the right of maintaining *stationnaire* ships in the zone of the Straits shall continue to exercise that right under the former conditions.	Omit this paragraph.
(*d.*) The signatory Powers who have the right of maintaining vessels on the Danube shall continue to have their right and to replace these vessels by other vessels as necessary.	
The vessels mentioned in (*c*) and (*d*) will be additional to those mentioned in article 2.	Omit "in (*c*)."

ANNEX (G) TO No. 19.

(Translation.)

Modifications Proposed by the Turkish Delegation in the Allied Draft for the Demilitarisation of the Zones of the Straits.

December 18, 1922.

The definition of the term "Straits" is omitted.

First paragraph (preamble) : No change.

Article 1.—*Demilitarised Zones :* No change.

Article 2.—*Demilitarisation Clauses :*

Second paragraph : After the words "no permanent artillery organisation" omit the words "no searchlight organisation."

Fifth paragraph : After the words "the Turkish" omit the words "and Hellenic."

§ (*a.*) Omit the rest of the sentence beginning "the Greek Government."

§ (*c.*) "Her fleet" instead of "their fleets."

The above modifications in the fifth paragraph follow from the fact that the Turkish Government demand autonomy for Lemnos and Samothrace (islands allocated to Greece) and deny to the Greek fleet the right to move about and to anchor in the waters of these islands.

In addition, the Turkish delegation propose to add :—

"(*d.*) It is further specified that, whilst not maintaining any installations and permanent bases of military aviation, the Turkish Government shall have the right to have the surface and the bottom of the sea watched by means of aeroplanes and balloons. Turkish aircraft shall be able to fly at any time freely over the waters of the Straits and the demilitarised zones and to alight on land or sea anywhere in complete freedom.

"(*e.*) The expression 'submarine engine of war' employed in the present draft does not refer to submarines."

Article 3.—*Régime of the zones of the Straits outside the demilitarised zones; that is to say, of the Sea of Marmora and its coasts.*

The Turkish delegation propose to omit :

First paragraph : After "the Sea of Marmora" the words "or on its coasts."

Second paragraph : The whole of this paragraph.

Article 4.—*Special dispositions concerning Constantinople area* · No change.

Article 5.—Omitted.

The Turkish delegation propose to add the following article :—

"The Turkish Government may maintain in the Gallipoli Peninsula a force of 5,000 men for the defence of the Ægean littoral."

No. 20.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Seventeenth Meeting (Sixth Meeting of the Straits Commission), December 19, 1922, *at* 12 *noon, under the presidency of Lord Curzon.*

Present :

BRITISH EMPIRE.	FRANCE.
The Marquess Curzon of Kedleston.	M. Barrère.
Sir H. Rumbold.	M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Spalaikovitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

BULGARIA.

M. Théodorof.
M. Stanciof.

RUSSIA, UKRAINE AND GEORGIA.

M. Chicherin.
M. Rakovsky.
M. Vorovsky.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Admiral Sir R. Keyes.
Major-Gen. Burnett-Stuart.
Mr. Malkin.
Mr. Ryan.
Captain Pound, R.N.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Major McLeod.

FRANCE.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. de Lacroix.
M. Laporte.
M. de Percin.
Lieut.-Col. Courtin.
Captain de Lamoricière.

ITALY.

Admiral Chelotti.
Colonel Vitale.
M. Arlotta.
M. Guariglia.
M. Ciamarra.
Dr. Senni.

UNITED STATES OF AMERICA.

Mr. Amory.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

GREECE.

General Mazarakis.
M. Dendramis.
M. Politis.

ROUMANIA.

M. Contzesco.
Colonel Dumitresco.

TURKEY.

Munir Bey.
Lieut.-Col. Tevfik Bey.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Djouritch.
M. Antitch.

BULGARIA.

M. Morfof.

RUSSIA, UKRAINE AND GEORGIA.

M. Berens.
M. Chapochnikof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

ITALY.

M. Indelli.

JAPAN.

Mr. Hotta.

ROUMANIA.

M. Constantinesco.

TURKEY.

Rechid Safvet Bey.

FRANCE.

M. Lagarde.

UNITED STATES OF AMERICA.

Mr. Belin.

GREECE.

M. Collas.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

BULGARIA.

Mlle. Stanciof.
M. Altinof.

RUSSIA, UKRAINE AND GEORGIA.

M. Sabanine.
M. Pastoukhof.
M. Ahrens.
Mme. Zaretzkaia.

Interpreter: M. Camerlynck.

LORD CURZON said that in the course of the proceedings of the day before the Russian delegation had handed in a scheme consisting of twenty-two articles and a declaration. Although this scheme had only been handed in at the last moment, after discussions lasting the best part of a fortnight, he had undertaken on behalf of the Allies to examine it very carefully and to give their reply at the present meeting.

The Russian scheme was an attempt to translate into practice the ideas set forth in M. Chicherin's first speech of a fortnight ago. It was based on a principle diametrically opposed to that on which the Allies had proceeded, namely, that the Straits should be closed at all times to ships of war. The scheme was summed up in the penultimate article (No. 21), which read as follows:—

> "The contracting Powers are agreed to elaborate and sign within three months from the adoption of the present regulation an international Act recognising the Black Sea as a *mare clausum* of the littoral Powers, even in the event of changes being made in the régime of the Straits which modify the above stipulations."

A fortnight ago that principle had been rejected by Lord Curzon on behalf of the Allies and by the littoral Powers of the Black Sea. In fact, no delegates had spoken in favour of it. It was therefore impossible to accept it, to reconcile it with the Allied scheme, or to find in it a point of contact between the two; the Allied Powers had therefore no alternative but to reject it. The additional declaration appended to the Russian scheme did not in any respect modify this decision; it only contemplated reciprocal guarantees for the safety of the littoral Powers, and therefore confirmed the principle of a *mare clausum*.

During the latter part of the previous meeting the Turkish delegation had submitted two papers which had also been very carefully examined by the naval and military experts and discussed by the Allied delegates themselves; he was therefore in a position to give the final Allied reply upon them.

The first note regarding the demilitarised zone was entitled "proposed modifications," but on examination it was found that it contained much more than modifications of the Allied scheme, and that, if it were accepted, the Allied proposals would be almost completely destroyed. For instance, the Turkish delegation proposed to exclude the Sea of Marmora altogether from the application of the scheme, and to reserve for Turkey complete liberty of movement, action, fortification, defence and offence in that area. This was quite inadmissible. The Sea of Marmora was a physical continuation of the Straits, and must be provided for in the same scheme. This was the first attempt which had been made either during the present conference or in history to separate the two areas.

He begged leave to remind the Turks of the fact which they knew very well, namely, that they had discussed this matter over and over again with the naval and military experts during the last ten days. The Allies had reached the limit of concession in this respect. They had agreed to Turkey fortifying all the southern shore of the Marmora and to free movement of Turkish troops across it; they only insisted on freedom of passage in the coastal zone along the northern shore. From that position they could not recede.

The second Turkish proposal was to suppress the word "projecteurs" in article 2 of the Allied scheme after the words "permanente d'artillerie." Lord Curzon was informed that this also had been discussed repeatedly by the experts, who could not consent to the proposed change; the matter could not therefore be reopened now.

The third Turkish proposal was for the suppression of certain words relating to the Greek Government and Greek interests. The Turkish delegation explained this proposal as resulting from the fact that the Turkish Government claimed an autonomous system in Lemnos and Samothrace and the exclusion of the Greek fleet from those waters. He had already stated three times, and now repeated for the fourth and last time, that the Allies had no intention of taking away from Greece the sovereignty over these two islands or of setting up an autonomous régime there. The Allies had been willing to apply the strictest form of demilitarisation in these islands for the security of Turkey; more than that they could not do. The further claim that the Turkish fleet was to be at liberty to go where it liked and to do what it liked in these waters, and that the Greek fleet was to be refused a similar permission, therefore fell to the ground.

The next Turkish proposal was contained in two paragraphs reading as follows:—

> "It is further specified that, while not maintaining any installations and permanent bases of military aviation, the Turkish Government shall have the right to have the surface and the bottom of the sea watched by means of aeroplanes and balloons. Turkish aircraft shall be able to fly at any time freely over the waters of the Straits and the demilitarised zones and to alight on land or sea anywhere in complete freedom.
>
> "The expression 'submarine engine of war' employed in the present draft does not refer to submarines."

These proposals seemed to the Allies reasonable and they had great pleasure in accepting them.

The next Turkish proposal was to suppress article 5 ("if in case of war Turkey, or Greece, availing herself of the rights of a belligerent Power, should in any way modify the state of demilitarisation described above, she will be bound to re-establish the *status quo ante bellum* as soon as peace is concluded"). Lord Curzon feared that it was impossible to eliminate this article, because a case might arise in which Turkey, having picked a quarrel or got involved in some petty war, might take advantage of the situation to modify the state of demilitarisation provided for in these clauses. Article 5 must therefore be maintained.

The final demand of the Turkish delegation was for permission to maintain 5,000 men in the Gallipoli Peninsula to defend the shores of the Ægean. This proposal had been discussed at great length with the experts, who were unable to give way on the matter. He therefore feared that the Allies must adhere to their decision.

In leaving this part of the subject, Lord Curzon would only say that he was sure the Turkish delegation would not interpret the Allies' refusal to entertain their various requests as indicating any failure to listen to the Turkish arguments or to appreciate the Turkish case. On the contrary, all these questions had repeatedly been discussed at length; Ismet Pasha had himself attended the meetings of the experts on at least two occasions and had exposed his views with his usual ability. But the Turks must not forget that the Allies had agreed to concession after concession, as stated by him at the previous meeting and recorded in the final Allied draft. The moment had now come when the limit of concession was reached.

The other Turkish document did not even consist of alleged modifications, but was an entirely new scheme for the regulation of the navigation of the Straits. This proposal, which covered several pages of print, had been very carefully examined since the previous meeting by the experts, who were unable to recommend its acceptance. The reasons for which the experts gave that advice and led the Allied delegates to accept it were as follows:—

> The Turkish proposals are an attempt, whilst accepting the Allied proposals for admitting the entry of warships into the Black Sea, to modify them to such an extent as to make their application quite unworkable and with one exception unacceptable.
>
> The Turkish proposals regarding merchant ships and commercial aircraft are practically identical with those of the Allies.
>
> As regards the proposals for men-of-war and military aircraft, the Turkish proposals differ from those of the Allies in principle in the following respects:—
>
>> In calculating the force which may enter the Black Sea the Turks lump the ships of all Powers together; this is a quite impracticable arrangement. Further, the force which may pass through at one time is limited by the force normally maintained by Turkey in the Marmora, and not content with this, they propose to introduce complicated rules as regards speed and armament in computing this force.
>>
>> The result would be that Turkey would virtually control the passage of ships both in peace and war and would, to all intents and purposes, whilst still neutral, be giving definite assistance to one side or the other.
>
> The absurdity of this proposal is shown by the fact that, if Turkey did not possess a capital ship, no outside Power could send such a ship into the Black Sea, even in wartime, though other Black Sea Powers possessed such ships.
>
> Turkey proposes, moreover, that the Straits Commission should be required to take into account the speed and armament of ships when computing the force which may pass into the Black Sea; though as to the relative value of these factors the naval staffs of the world have never yet been able to reach agreement.
>
> The limitations proposed by Turkey as regards the ships passing through the Marmora would be of purely academic value, unless Turkey proposes to concentrate her fleet in the Marmora and to prepare for action on each occasion when foreign war vessels pass through.
>
> Further, Turkey, failing to realise the advance in naval matters which has taken place, proposes to prohibit both submarines and ships carrying aircraft.
>
> At the present time a very large proportion of men-of-war

carry one or more aircraft, and in the future it is conceivable that all men-of-war will be capable of submergence.

Furthermore, Turkey, by prohibiting the entry of aircraft and submarines, would in reality be taking sides, since there is nothing to show that the Black Sea Powers would not be able to maintain and use such craft.

Turkey also proposes that the zone of the Straits should extend 20 sea miles outside the entrance and round the islands in the Ægean. This would infringe on the freedom of the high seas to an extent which has never yet been claimed by any Power, and which could not be entertained for a moment.

As regards military aircraft, the Turkish proposal would limit their passage in such a way as to prejudice the international character of the waterway. This is a requirement which the Turkish proposals generally have been inclined to overlook.

There is one point, however, in the Allied scheme which may be considered open to fair criticism. In peace time the Allied proposals do not limit the period over and above that required for passage which men-of-war may spend in the zone of the Straits.

We propose, therefore, to insert a clause limiting this period to twenty-four hours over and above that required for making the passage.

At the previous meeting Ismet Pasha had alluded to two other points on which he might expect a reply. The first was the proposed Straits Commission, among whose duties was included that of seeing that the limitation of warships provided for in the treaty and the manner of demilitarisation should be observed. Ismet Pasha had objected to both these proposals, and had asked that the duties of the commission should be confined to small matters connected with the keeping open of the passage. Lord Curzon could argue this question at length, but the Allies attached such capital importance to these two points that they could not give way in the matter.

Ismet Pasha had also referred to the nature of the so-called "political guarantees" offered by the Allies. The Turkish Government, by deciding to apply for membership of the League of Nations, would automatically have the advantage of the general guarantee for their territories and frontiers provided in article 10 of the Covenant of the League; but the Allies, in their desire to meet the wish of Turkey for additional guarantees, had also made a further proposal on the lines of that already adopted by the League of Nations and the Powers concerned in the case of the Aland Islands. That was certainly an additional protection for Turkey.

When Lord Curzon considered what the Allies had conceded to Turkey as regards the demilitarised zones, the advantages secured to her as regards her army and navy in the future, and also the additional guarantees just mentioned, he truthfully believed that there would not be a Power in the world which would be so completely wrapped up in protecting guarantees and in means of defending itself as Turkey. If Turkey were not satisfied with the additional guarantee now offered her, which was intended entirely in her interest and for her defence, it would be withdrawn. He felt bound to say, in the name of his colleagues and of himself—and they had all consulted their respective Governments several times on the matter—no stronger or further guarantee could possibly be given by them.

He would only add one or two words :—

> "What do we all want to do ? We want to make peace, and in making that peace we all of us want to do that which is fair to all the parties concerned. I endeavoured to argue yesterday that the Allied proposals would be fair to Russia. I did not carry conviction to the mind of M. Chicherin. I now want in a few sentences to point out to the Turkish delegation in what way I consider that our proposals are fair to Turkey, and that in their own interest they would be ill-advised to reject them.
>
> "It cannot possibly be argued in any quarter that 'the freedom of the Straits' is being interpreted as a weapon directed against the capital of the Turkish State. On the contrary, we have done everything within our power to secure that capital, to maintain the sovereign rights of Turkey unimpaired, and to render it impossible that the passage of war-ships through the Straits may be used as a means of pressure upon the Government of Constantinople. In our proposals Turkey is left with all reasonable means of resisting invasion ; she is allowed complete freedom for the circulation and transit of troops in all coastal regions; and, except in the restricted areas of the demilitarised zones, she retains her liberty to fortify her Asiatic coast land. The belligerent rights of Turkey when she is at war, the neutral rights of Turkey when she is not at war, are carefully safeguarded, and Turkey is left full discretion to make such regulations as she may consider necessary as to the number of men-of-war of any one Power which may visit Turkish ports and the length of time which they may stay there. At one time Turkey feared that by accepting the doctrine of the freedom of the Straits she would expose herself to the menace of foreign war-ships anchored in the Golden Horn. This fear is shown to be groundless. Except with Turkey's permission, the only fleet which will anchor in Turkish territorial waters will be the Turkish fleet. The sovereignty of Turkey will remain unimpaired.
>
> "Nor is this all. The constitution of an International Commission of the Straits, working in association with the League of Nations and under a Turkish president, will be a guarantee to Turkey and to the littoral States of the Black Sea that the freedom of the Straits will be treated as the interest, not of this or that Power or group of Powers, but of the world as a whole.
>
> "Finally, in order to remove all possible apprehension that the régime which we propose to establish will be abused to the disadvantage of Turkey, we have added a specific guarantee under which the security of Turkish territory and the Turkish capital is abundantly assured. Not only will Turkey be left with her own means of defence for her Asiatic shores; not only will substantial Turkish forces be stationed at Constantinople; not only will Turkey, so soon as she enters the League of Nations,

share in the general guarantee provided by article 10 of the covenant; but under the additional guarantee which we propose to attach to the Straits Convention she will be given an absolute assurance regarding her future security and be able to devote her undivided attention to the economic reconstruction and progress of her own dominions."

Ismet Pasha said that he had taken note of the Allied reply in regard to the drafts concerning demilitarisation and freedom of passage in the Straits. He reserved the right to communicate his observations on that subject. As he had said on the previous day, he would now set forth the views of the Turkish delegation on the Allied proposals concerning the duties of the Straits Commission and certain political guarantees. He then read the following statement:—

The Turkish delegation have examined the draft articles respecting the Commission of the Straits with the greatest care. In principle they agree with the Allied Powers on many of the points contained in that draft. As regards the duties of the commission itself, the Turkish delegation regret that they are unable to agree to the provisions of article 5, which affect the internal public services of Turkey.

In our opinion there is no occasion to place the demilitarisation of the Straits under the supervision of the commission, since any actions which may take place in contravention of these undertakings must necessarily be performed in the Straits and under observation by air and by sea, and cannot therefore in any circumstances pass unnoticed.

The supervision of these measures by a commission set up in or near Constantinople would be incompatible with the sovereignty of Turkey.

As Greece is neither a Great Power nor a littoral State of the Black Sea, it is inadmissible that she should be represented on the Commission of the Straits.

The passage of commercial and war vessels through the Straits in peace and in war is regulated in the scheme regarding the freedom of the Straits.

An article of this scheme limits the number of warships allowed in the waters between the two Straits, and also in the Black Sea. The only function which could be exercised by the Straits Commission is to see to the observance of the limit placed on the numbers of warships of different nations.

The modifications which the Turkish delegation desire to introduce into the draft of the Allied Powers are indicated in the following statement:—

Draft Articles respecting the International Commission of the Straits.

1. An international commission, composed as stated in article 2, and entitled "Commission of the Straits," shall be set up at Constantinople.

2. The commission shall be composed of representatives of

France, Great Britain, Italy, Japan, and also of Bulgaria, Roumania, the Serb-Croat-Slovene State, and of Russia, the Ukraine and Georgia, under the presidency of a representative of Turkey.

In the event of their adhering to this convention, the United States also shall have the right to have a representative on the commission.

3. The Governments represented on the commission shall have the duty of providing their representatives with such salaries as they may properly claim.

4. The commission shall be required to ensure that the provisions regarding the limitation of war vessels are duly observed.

5. The Commission of the Straits shall carry out its functions under the auspices of the League of Nations, to which it will forward an annual report on its proceedings.

According to the draft articles regarding the guarantee for the security of the Straits, the high contracting parties and the Straits Commission are to address themselves without delay to the Council of the League of Nations whenever the freedom of navigation or the safety of the demilitarised zones is imperilled by some violation of the terms agreed upon, or by a war. The measures decided on by the council are to be binding on the contracting parties. If unanimity cannot be obtained, each of the contracting parties is to be authorised to take individually such measures as the council recommends by a two-thirds majority. The vote of the Power whose action has brought about the danger in question is not to count in reckoning either an unanimous vote or the above-mentioned majority.

The result of these provisions is that when an attack is made either on the freedom of transit or on the safety of the demilitarised zones, formalities entailing a more or less prolonged delay will have to be accomplished before the contracting Powers are required to take action. Even if we leave out of account the very serious consequences for Turkey herself which such an attack might produce pending the decision of the council, there would always be a risk of that decision being rendered nugatory by one of the Powers represented on the council refusing its consent—in which case the contracting parties would be released from any obligation whatever. Indeed, under these circumstances, the Powers would have an entirely optional right to take individually such measures as might be decided on by a two-thirds majority; a majority, moreover, which might not come into existence at all.

It is therefore quite possible that some serious injury might be done to freedom of passage or to the security of the Straits without calling into play any action on the part of the contracting Powers. It is evident that Turkey, by consenting to the demilitarisation of certain definite zones around the Straits, is making an enormous sacrifice, which considerably weakens her defensive strength, for the sake of the general good. In return for the undoubted benefit thus obtained by all nations interested in the commerce of the Black Sea, she has every right to demand a sure guarantee. The assurance embodied in the terms of the draft submitted to the Turkish delegation is not altogether calculated to furnish an adequate guarantee, as the Allied Powers will doubtless recognise in view of all these considerations.

The Turkish delegation also feel bound to suggest for judicious consideration by the commission that the provisions of the guarantee should be operative under all circumstances, *i.e.*, in time of general peace and also during a war, whether Turkey is taking part in it or not. As a matter of fact the guarantee would lose all its value if it were proposed to make it inoperative in the event of a war in which Turkey had taken part, for it certainly does not depend on Turkey alone to decide whether she can avoid belligerency.

If the warships of any Power can commit hostile acts against Turkey while passing through the Straits and if Turkey is thus placed in a state of war without the Powers being able to intervene, the freedom of the Straits would only be ensured in such a manner as to make inadequate provision for the vital interests of Turkey.

If it is argued that Turkey will enjoy the guarantees already contained in the Covenant of the League of Nations as soon as she enters the League, there is no need to point out that this will effect little or no change in the unsatisfactory situation assigned to her. It is thought that article 10 of the League of Nations Covenant is a sufficient guarantee for countries which are generally free from all restriction as regards defence and consequently can employ all such means of defence as their safety requires. But this is not the case as regards the Straits, which lose a great part of their defensive strength by demilitarisation. It is evident that a supplementary guarantee must be given in respect of the Straits zone, when the situation there is different from that of other countries.

The inviolability of the Straits should also be respected in the event of action being taken against Turkey on the strength of a decision by the League of Nations. It is regard for general interests which necessitated the new régime of the Straits, and they should, therefore, remain inviolable even in the event just mentioned.

The Turkish delegation consider that the guarantee would be far more efficacious if the guaranteeing Powers undertook individually and collectively to secure that the inviolability of the regions in question should be respected. The Turkish delegation are well aware of the difficulties which the Allied Powers would encounter as regards the individual guarantee, but they feel obliged to make this request because they have been unable to discover any other solution of this problem. If the Allied Powers would kindly suggest an equitable solution which would eliminate the serious drawbacks of the collective guarantee by itself, the Turkish delegation would be glad to examine such a proposal with the best will; for their object is not to create difficulties, but to ensure that, in the event of an attempt to violate the zone of the Straits, Turkey should not be placed in a position of uncertainty. The Turkish delegation therefore propose the following formula:—

> With a view to making sure that the demilitarisation of the Straits shall not become a cause of unjustifiable danger to Turkey from the military point of view, France, Great Britain, Italy, Japan and Russia agree to the following provisions:—

> The signatory Powers mentioned above undertake individually and collectively to respect and ensure respect for the inviolability of the Straits both in peace and in war.
>
> If any foreign Power commits an act of war within the region of the Straits as defined in article . . . ., or in the Sea of Marmora, that act shall be regarded as an infraction of the inviolability laid down in the preceding paragraph.
>
> In this event Turkey will take all possible measures with a view to preventing the acts in question ; and upon a request from her the above-mentioned Powers shall be bound on their part to prevent those acts conjointly by all the means at their disposal.
>
> If the above-mentioned Powers have for this purpose caused more ships to pass than are allowed by the regulations of the Straits, the normal application of those rules shall be resumed upon Turkey's request as soon as the acts in question have been stopped.
>
> These provisions form an integral part of the provisions relative to the demilitarisation and freedom of the Straits.

After reading this statement Ismet Pasha expressed the hope that his proposals, which were based on imperative necessity, might be examined and given serious consideration. He expected that after this examination the views of the Allies would be modified in favour of Turkey.

M. CHICHERIN said that he noted with deep regret that the inviting Powers had given no heed to the attempts at conciliation and important concessions embodied in the Russian counter-proposal, in which his delegation had desisted from the strict application of their original point of view on several questions of primary importance.

They had proceeded in accordance with the two principal ideas put forward at the conference: (1) the idea of the United States delegate, who had brought out the beneficent rôle which warships could play in the attainment of peaceful purposes, and (2) the idea that it was desirable to obtain guarantees for the littoral States of the Black Sea. With a view to satisfying the desire that warships might be enabled to accomplish peaceful missions in the Black Sea, the Russian delegation had proposed that the Turkish Government should have the right to permit the passage of light war vessels in individual cases and for definite purposes, but on no account with a military object. There had been no pirates in the Black Sea since the vessels of Wrangel had left, and light vessels were sufficient for philanthropic, scientific and other purposes. An example had been set by the representatives of the American administration for famine relief, who came to Black Sea ports in American destroyers. That was a case in which a warship could accomplish a charitable mission with a purely pacific object. But the Russian delegation demanded that if this right was granted to the Turkish Government, the Turkish Parliament should take the decision in every case.

Another very important point in the Russian counter-proposal was that, apart from the general regulations for transit through the

Straits, it expressly forbade belligerent ships to enter the Black Sea. In this matter the Russian delegation were in agreement with the great currents of world-wide opinion, which were in favour of narrowing down and not enlarging the field of operations. The Russian statement respecting the convocation of a conference of littoral States of the Black Sea belonged to the same order of ideas, and M. Chicherin was greatly surprised that Lord Curzon had merely made a passing remark on this subject; he, for his part, regarded it as one of the most important factors in the interest of peace and of reduction of armaments.

The objection made by Lord Curzon was that, in his opinion, Russia ought not to conclude a separate agreement for the safety of her coasts with the other littoral States of the Black Sea, and that the Great Powers should participate therein. The British Government had expressed the same idea in 1920, when it suggested that Russia's negotiations with Poland, Esthonia, Latvia, Lithuania and Finland should not be conducted between those States only, but with the participation of the Great Powers. Russia had then rejected that proposal, because she considered it easier to bring her interests into harmony with those of her neighbours if they were not mixed up with great world conflicts and international political interests. Russia believed that she was right, and that it was easier for her to come to an agreement with the States on her borders when world quarrels did not intervene in her relations with those States. M. Chicherin was sure that it would also be easier for Russia to reach agreement with the littoral States of the Black Sea if world politics were not involved. He recalled the fact that Russia, when negotiating with the States on her borders, had brought forward an idea embodied in several of these treaties—the idea of neutralising the Baltic on one express condition, namely, an absolute guarantee that this neutrality should not be violated by any third Power, and that the vital interests of Russia should be respected.

There was yet another great concession in the Russian counter-scheme. That was the proposal that an International Straits Commission should be created to look after the needs of commercial navigation, without of course infringing the sovereignty and independence of Turkey, and without entrusting to that commission duties which belonged to the territorial sovereign of the Straits. This commission was very different from that dealt with in the draft presented by the inviting Powers on the evening of the 17th December, on which the Russian delegation had not yet expressed its opinion.

M. Chicherin then read the following statement:—

> "The draft of the inviting Powers requires an international commission dependent on the League of Nations to supervise the limitation of warships in the Black Sea (*i.e.*, their transit through the Straits) and the demilitarisation of the coasts of the Straits. The Russo-Ukrainian-Georgian delegation observe that this is tantamount to depriving the Turkish people of control over transit and of effective sovereignty in the Straits, and transferring these powers to the representatives of the States who are to form this commission under the auspices of the League of Nations.
>
> "The Russo-Ukrainian-Georgian delegation are opposed to this

flagrant violation of the sovereignty and independence of Turkey, which is unacceptable from the point of view of the most elementary requirements of Russia and her allies in respect of safety. Real power in the Straits will belong to those who control the naval situation in the Straits and the military situation on the neighbouring coasts. If this power is handed over to foreign States, the struggle now proceeding in Turkey will be perpetuated, for in the long run the Turkish people will not endure foreign rule in the region which Ismet Pasha has described as the most sensitive portion of Turkey. This proposal also amounts to the creation of a stronghold in the Straits against Russia and her allies, for the possessor of the most powerful fleet will in fact rule there, and will hold in his hand the strategic key to Southern Russia. It should be noted that among the Powers to be represented on the Straits Commission according to the Allies' scheme, the great majority (France, Japan, Bulgaria, Greece, Roumania and Jugoslavia) have not yet established even *de facto* relations with Russia and her allies; and all of them without exception were still taking part in an anti-Russian coalition only a short time ago. At the same time, all limitations on war vessels and all measures designed to diminish the supremacy of the naval Powers in the Black Sea will be nothing but a pious wish if the control of transit through the Straits is in the hands of the naval Powers and not in those of a sovereign and independent Turkey.

"The Russo-Ukrainian-Georgian delegation also make special and formal protest against any attempt to require the Council of the League of Nations to guarantee the safety of the Straits. Russia, the Ukraine and Georgia have not recognised, and will not recognise, the League of Nations, because its constitution is absolutely inacceptable. Russia, the Ukraine, Georgia, the United States of America, Germany and other States besides are not members of it. The League of Nations is in reality only a coalition of certain Powers. It is therefore absolutely inadmissible to assign to it any functions whatever in the Straits.

"But there is more. The guarantee for security proposed in this draft is in fact illusory. Any violation of this security is to be brought to the notice of the Council of the League of Nations, and then there will be deliberations. If unanimity cannot be secured, each signatory Power will be able to take individually such measures as the council has recommended by a majority of two-thirds. But can anyone believe that the Power which has violated the security of the Straits will wait peacefully until the Council of the League of Nations has finished its deliberations? That clause would be a mere sham, and even if the Council of the League of Nations were prepared to act, we have before our eyes examples of its action. The League of Nations did not protect Lithuania, and remained powerless before General Zeligowski's surprise attack at Vilna. The impotence of the League of Nations has become proverbial.

"The individual action by the Powers of which mention has been made is an open door for military intervention. This scheme does not prepare peace but war. In fact, once the coasts of the

Straits are demilitarised there is no guarantee for their safety. The only State which could give this guarantee is Turkey herself. If you deprive her of this power you are, in fact, leaving the Straits defenceless, and handing Turkey over to the strongest, bound hand and foot.

"With other functions and a different organisation, the establishment of an International Straits Commission is not in itself inacceptable to Russia and her allies. On the contrary, the Russo-Ukrainian-Georgian delegation have suggested a commission of this kind in their counter-proposal. As regards its composition, they suggest introducing a representative of Germany, whose commercial interests in the Straits are considerable. The Russo-Ukrainian-Georgian delegation will raise no objection to the purely technical functions assigned to the commission.

"But in its fundamental features the draft submitted by the inviting Powers is a flagrant violation of the security of Russia and her allies, of the independence and sovereignty of Turkey, and of the interests of general peace."

M. Chicherin said that he was also deeply pained to notice that in all Lord Curzon's remarks respecting the Turkish counter-proposal and in all the objections raised by the Allied experts, one fundamental idea ruled: their whole object was to make all control of warships impossible. They did not even agree to the Turkish request for a garrison at Gallipoli. They therefore completely disarmed the Dardanelles. After that, the small concession made as regard the Asiatic coast of the Sea of Marmora was of no consequence. These feigned concessions were nugatory. As a matter of fact, access to Constantinople and the Black Sea lay open. Lord Curzon had found it impossible to combine all the Powers for purposes of limiting fleets, but surely it was an ordinary matter to fix the size of the contingents of the various Powers. All the statements of Lord Curzon had a single object: to render the defence of the Straits and Constantinople impossible, and expose Russia to attacks by the great fleets.

Lord Curzon wished to represent Russia and her allies as isolated. But they had one powerful ally: the taxpayer of all countries. He was the ally of the future; he would understand that the system which it was now proposed to apply—enlarging the spheres of naval action, increasing naval forces, creating threats against Russia—entailed an increase in expenditure and greater privations for the peoples. It was the taxpayer who made the great currents of public opinion, who was already demanding disarmament and economy, and who in future would ensure the triumph of the cause represented by Russia and her allies.

M. Duca said that he had already indicated the point of view of the Roumanian Government on the problem of the Straits. The Roumanian delegation were convinced that when they demanded a régime of real freedom in the Straits they were defending not only the interests of their own country, but also those of the world in general. They regretted to note that the draft of the Turkish delegation did not in any way meet the desire to ensure that freedom. The Roumanian Government considered it essential that the freedom of the Straits should not be illusory, and that was why it entirely concurred in the draft of the inviting Powers and also in the clear and judicious remarks made by Lord Curzon.

M. Duca would, however, have certain observations to make on the details of these proposals and reserved the right to present them at a suitable moment. He hoped very seriously that the Turkish delegation would re-examine the question with the greatest care and would finally recognise that the proposals of the Allies were calculated to ensure respect for the principle of liberty without doing any injury to Turkish sovereignty, which Ismet Pasha was justly anxious to safeguard.

As regards the scheme presented by M. Chicherin there could be no question. The purpose of it was to put in practice the principle of closing the Straits, whereas the Powers considered freedom of passage necessary. As these positions were parallel, and as unfortunately parallel lines could be prolonged *ad infinitum* without ever meeting, the conference could only note the fact that it was impossible to hope for agreement between the views of the Roumanian and Soviet delegations.

M. SPALAIKOVITCH expressed the view that when the proceedings at the present and the previous meeting became known, the impression produced on the public would be lamentable. The discussion on the problem of the Straits had continued for a fortnight; it had been believed that a settlement was within reach, and now the situation was completely changed. Public opinion would regard these shiftings to and fro as a dangerous waste of time. But this state of affairs might have the still graver effect of creating a conviction that the method followed by the conference was a positive danger for peace; such shuffling could not inspire confidence. For the last two or three days rumour had been current that agreement respecting the Straits was practically reached, but now apparently everthing had to be begun over again. If certain delegations intended to make observations on the drafts submitted, they had had time to do so at an earlier stage. M. Spalaikovitch entirely agreed with the conclusions reached by Lord Curzon, in the sincere desire that the work of the conference might be brought to a conclusion.

M. VENISELOS wished to state his views respecting the refusal of Ismet Pasha and M. Chicherin to consent to the admission of Greece to the Straits Commission. It was not as a Great Power but as a maritime Power that Greece considered herself entitled to claim a place on that commission. The merchant marine of Greece was very considerable, and came second in the list of those passing through the Straits. One could convince oneself of this fact by consulting the statistics prior to 1912, which were the latest in respect of a normal period. The refusal of M. Chicherin was still more incomprehensible, since he urged that the duties of the commission should be confined to matters concerning commercial navigation.

M. CHICHERIN said that he had no objection to the admission of Greece to the Commission.

M. STANCIOF entirely agreed with the Allied proposals, subject to the following technical remarks in regard to the International Straits Commission, which M. Morfof read out:—

"It is admitted that freedom of navigation through a navigable channel can only exist if that freedom is not encumbered by dues in excess of the expenditure required for the maintenance of the necessary services.

"Thus, when the problem of freedom and navigation on international rivers and canals was brought forward in 1815 at the Congress of Vienna, the following principle was laid down: that dues for services rendered to navigation must not exceed the expenditure necessary for maintaining those services.

"In 1856, at the time of the Treaty of Paris, when the International Danube Commission was set up, stress was laid on the importance of this principle by granting these same rights within the same limits to that commission.

"The new draft respecting freedom of navigation through the Straits stipulates that companies concerned with lighthouses, pilotage, towing and other companies of the same kind shall continue to levy these dues which exceed the expenditure on the service, thus creating a hindrance to navigation contrary to the principles mentioned above. It is quite fair not to suppress the right which the companies have acquired of levying dues on shipping, even at a rate in excess of the expenditure to be met; but, in order to conform to the principles laid down, this acquired right should not continue after the expiration of the contracts concluded with the companies in question. When the contracts have expired, the Straits Commission must itself undertake these services, or else see that the dues levied for lighthouse, towing and pilotage services do not exceed the cost of maintenance. In this way the commission will justify its mission of ensuring the freedom of navigation through the Straits.

"Apart from the salaries of the various representatives, which are to be defrayed by the respective Governments, the International Straits Commission will have to defray other expenses which will be too high to be borne by those Governments in equal shares.

"The Bulgarian delegation make a request to the conference that these expenses may be met by dues levied on ships passing through the Straits, or else that these expenses be divided between the States on the system adopted by the League of Nations, which has in fact established a difference between great Powers and small States as regards distribution of expenditure."

LORD CURZON wished to say a few words before concluding the discussion. He had been very powerfully impressed by the remarks of M. Spalaikovitch, who had said that the world was looking at what the conference was doing and that there would be great disappointment if week after week went by with no conclusion being reached. That was a most just observation, and its justice was recognised by all for whom Lord Curzon was speaking. The Allies, in authorising him to speak as he had, had hoped that the present meeting would be the last on the subject of the Straits. He had already said, and now repeated once more, that the Allies had reached the limit of concession and that further discussion would be fruitless. He was therefore disposed to consider any further meeting unnecessary; but, on the other hand, he was most reluctant to deprive the Turkish delegates, whose hard work he readily recognised, of the opportunity to answer the various statements made by him at the present meeting or to submit any independent view. He was therefore disposed to have one more meeting, but only one, and would consult the convenience of the Turkish delegation whether that meeting should be held the same afternoon or the following day.

ISMET PASHA repeated that the remarks made by him at the present meeting were of essential importance for Turkey. He wished to feel certain that these observations would be examined by the interested parties with care and in good faith. He suggested that the next meeting should take place two days later, so that he might be able to present all the necessary arguments with a view to solving the problem, and also to sum up the views of the Turkish delegation respecting the Straits.

LORD CURZON could not accept an adjournment for two days. Whenever the Turkish delegation had put forward a proposal he had always been prepared to reply on behalf of the Allies within twelve hours; surely the Turkish delegation, which had shown such extraordinary ability and resource, could do likewise. The end of the year was approaching, and everyone was saying that they had the firm intention of concluding a treaty of peace, but their actions did not always correspond with their words. Every day which passed without a move towards peace was a day of danger, and a serious effort must be made to diminish the period of waiting. He trusted that the conference would support him in urging that the final meeting on the Straits question should take place on the following day—in the afternoon if the Turkish delegation preferred.

ISMET PASHA maintained that he had never caused the slightest delay in the negotiations. As the Allies settled the agenda themselves, they always had ample time to prepare their case before the agenda was communicated to the Turkish delegation. It often happened that the Turkish delegation received the agenda a few hours before the meeting and were compelled either to answer hurriedly or to reserve their reply. That was why he had requested an adjournment for two days, but in deference to Lord Curzon, he was prepared to agree to a meeting on the next day at 4 P.M.

(*The commission rose at* 2·10 P.M.)

No. 21.

Territorial and Military Commission.

Minutes of the Eighteenth Meeting (Seventh Meeting of the Straits Commission), December 20, 1922, at 4 P.M., under the presidency of Lord Curzon.

Present :

British Empire.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

France.

M. Barrère.
M. Bompard.

Italy.

Marquis Garroni.
M. Montagna.
M. Lago.

United States of America.

Mr. Child.
Admiral Bristol.
Mr. Grew.

Japan.

Baron Hayashi.
Mr. Otchiai.

Greece.

M. Veniselos.
M. Caclamanos.

Roumania.

M. Duca.
M. Diamandy.

Kingdom of the Serbs, Croats and Slovenes.

M. Spalaikovitch.
M. Rakitch.

Turkey.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Bulgaria.

M. Théodorof.
M. Stanciof.

Russia, Ukraine and Georgia.

M. Chicherin.
M. Rakovski.
M. Mdivani.
M. Vorovski.

Also present :

British Empire.

Sir W. Tyrrell.
Mr. Malkin.
Mr. Ryan.
Captain Pound, R.N
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Major McLeod.
Mr. Flint.

France.

Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. de Lacroix.
M. Laporte.
M. Bargeton.
M. de Percin.
M. Barois.

Italy.

Admiral Chelotti.
Colonel Vitale.
M. Arlotta.
M. Guariglia.
M. Ciamarra.

United States of America.

Mr. Amory.

Japan.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

Greece.

General Mazarakis.
M. Dendramis.
M. Politis.

Roumania.

M. Contzesco.
Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Djouritch.
M. Antitch.

Turkey.

Munir Bey.
Lieut.-Col. Tevfik Bey.

Bulgaria.

M. Morfof.

Russia, Ukraine and Georgia.

M. Berens.
M. Chapochnikof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.
Mr. Wicks.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Rechid Safvet Bey.

Bulgaria.

Mlle. Stanciof.
M. Altinof.

Russia, Ukraine and Georgia.

M. Sabanine.
M. Pastoukhof.
M. Ahrens.

Interpreter: M. Camerlynck.

Lord Curzon invited the Turkish delegation to speak.

Ismet Pasha read the following statement:—

"Since the beginning of the debate on the question of the Straits, the public opinion of the world has been acquainted with our legitimate claims. We are only requesting that the principles on which we have taken our stand for years should be applied. These principles have the approval of the whole world; they are, that the Straits should be kept open for the commerce of the world and for international traffic on condition that the inviolability of our capital and of the Sea of Marmora, which is situated in the very heart of our country, should be ensured.

"There was no need to require that the Straits should not be fortified in order to keep them open to commercial vessels and international traffic. The application and observance of the regulations framed for this purpose by representatives of the nations concerned would have been quite sufficient to ensure the passage of commercial vessels night and day, in peace and in war. It would also have been possible to ensure by treaty the passage of warships from one sea to another, which has been declared necessary for commercial and humanitarian purposes, while preserving the fortifications of the Straits.

"The essential problem for Turkey, namely, the inviolability of her capital and of the Sea of Marmora, would thus have been solved without leaving room for any uncertainty. Impartial public opinion unanimously recognises that during former wars the closing of the Straits in either direction was based on treaties then in force.

"Nevertheless, Turkey, relying on the possibility of securing by other means that safety and inviolability which she has a right to expect, has made the sacrifice of agreeing not to fortify the Straits. I can conscientiously state that no other people has agreed to make a sacrifice comparable with this one for the sake of world peace.

"Nothing but a sincere desire for peace and conciliation could induce a country to leave its capital exposed to all kinds of dangers by land and sea, when it had previously been secure and easy to defend.

"The suppression of the coastal fortifications of the Straits would have sufficed to prove that Turkey renounced all idea of fortifying them, but she has done more; with the sole object of satisfying the Allies, she has agreed to apply a series of measures proposed to her which are not really necessary for ensuring the passage of vessels.

"In this manner we have given up our means of defence within certain zones. I do not know what judgment history and future generations will pass on the action of Turkey in thus relinquishing her means of defence in order to satisfy other nations.

"Nevertheless, while on the one hand we are making such great sacrifices in the shape of demilitarisation, we see on the other hand that these same arrangements seriously jeopardise our own safety. As a matter of fact, Greece is being enabled to raise soldiers among the inhabitants of the islands immediately opposite the demilitarised zones, to assemble all these soldiers in one or other of these islands, and to send her fleet to the mouth of the Dardanelles, which will be unfortified and deprived of all means of defence. In time of peace the recruits raised in one district suffice to form the forces which could usefully be maintained there; consequently, if Greece is authorised to utilise on the spot the contingents from the islands in question, it really amounts to her being allowed to have as many soldiers as possible in those islands.

"While the presence of the Turkish fleet in the Sea of Marmora and in front of the capital can only fulfil a defensive object, the presence of the Greek fleet immediately outside the Dardanelles can easily be attributed to aims of offence. Can we possibly allow the sacrifices made by us for the sake of world peace and in the interest of all peoples to facilitate preparations for attack on the part of the Greeks?

"On the other hand, I think there is no need to explain how indispensable it is for the defence of the disarmed Turkish Straits that the islands of Imbros, Tenedos and Samothrace, which form an integral part of the Dardanelles, should be restored to Turkey.

"It is true that the question of the islands has already been discussed several times, but this cannot prevent us from reverting to it. Justice should always be recalled to mind. Besides, nothing has yet been decided on this subject, and it naturally follows that this question must needs be re-examined at the time when a decision is to be taken. With a view to being able to protect the peninsula of Gallipoli from any surprise attack, we have requested authorisation to maintain a garrison of minimum strength there. If the force of 5,000 men which we have requested is thought too large, I agree to another figure being suggested to us by the Allied Powers themselves.

"But the technical arguments in favour of maintaining a Turkish garrison at Gallipoli are unanswerable, as we have already had occasion to explain to the experts. It was only because a decision on this question lay outside the competence of the experts that the matter was not settled by them.

"It is clear that all our efforts should be devoted to the sole object of ensuring freedom of maritime transit through the Straits; the authorisation which we request is therefore most legitimate, for the presence of a little garrison could in no way harm that freedom of transit, but could be utilised for preventing an eventual landing.

"I leave it to the Allied Powers to take a decision on this subject, and to make such reductions as they may consider necessary in the number of men which we request. In acting thus Turkey is making a fresh sacrifice and giving still further proof of her goodwill.

"I now wish to state my views on the draft concerning the freedom of the Straits.

"There is no difference of opinion between us respecting the transit of merchant vessels. As regards the transit of warships, the system advocated by us conduced to ensuring the safety of the capital of Turkey and of the Sea of Marmora. We asked that any fleet which was to pass through the Straits should be limited in such a manner that it would not be in a position to attack the Turkish fleet lying in the zone between the Straits.

"Is there anything more natural and more legitimate than our right to safety of this kind?

"The peace-time limitations accepted by the Allied Powers are insufficient, and in war time the passage of unlimited numbers of fighting units past our capital would create grave disadvantages for Turkey if she were neutral.

"Nevertheless, the Turkish delegation declare that they accept the clauses of the Allied draft respecting the freedom of the Straits.

"Thus the sacrifices and concessions made by Turkey reach a level where they exceed the limits which her interests allow.

"In this way an agreement is established between Turkey and the Allied Powers on all fundamental principles respecting the Straits.

"Apart from the points with which I have dealt respecting the fleet and military forces of Greece, the scheme for the liberty of the Straits provides that warships on entering the Straits shall notify their strength, as an act of courtesy, to a signalling station designated by Turkey. In order to preserve the full force of this undertaking it is desirable to suppress the words 'as an act of courtesy' and render the notification obligatory.

"I also feel bound to observe that the Turkish delegation are unable to agree to the maintenance of *stationnaires*, which are reminiscent of the capitulatory régime and used to exist at Constantinople in the former days under the old system, whereby the Straits were closed to war-vessels.

"I now turn to the Straits Commission and the functions assigned to it. The idea of creating such a commission was first mentioned in a speech of his Excellency the first British delegate. Subsequently I referred to it myself in my reply and compared it to the Danube Commission for commercial vessels. The conference will remember that I have never in any case agreed to the idea of control, for we are firmly convinced that such consent would be incompatible with our sovereignty.

"When I alluded to the Danube Commission, the rules for transit which we have laid down to-day had not yet been worked out, nor had the demilitarisation of the Straits been decided. A measure which forms part of a group of other measures, essentially different from those under consideration to-day, cannot serve as the basis for the new system which we are now discussing.

"The fundamental authority for the measures upon which we have agreed is the treaty itself. It is therefore unnecessary to set up a commission in connection with one set of clauses, and we could quite well abstain from establishing this commission at all. But even if this commission is to be maintained, its functions should in no case encroach upon the administration, sovereignty and existence of Turkey.

"The duties of the commission should be strictly limited to ensuring the regular application of the rules embodied in the scheme for the freedom of the Straits in regard to the transit of war-vessels.

"Turkey considers that by agreeing to this she has given proof of the greatest goodwill and of an extremely conciliatory spirit in the cause of peace. But if the concessions demanded of her are carried so far as to endanger her very existence, how could she consent to them? It is clear that measures connected with navigation (especially the lighthouse, pilotage, and towing services) are part of the internal affairs of a country. Would it be possible to consent to such matters being controlled by an international commission? *A fortiori* it could not in any way be admitted that measures of demilitarisation should be controlled by such a commission. In point of fact, what could this commission do in order to make sure that the garrison of Constantinople, which is not to exceed 12,000 men, be not increased to 13,000? It might say that it was necessary for this purpose to control the whole administration of Constantinople; it might also demand the right to supervise all matters connected with the gendarmerie at Gallipoli in order to see whether the armament of that force was really in accordance with the stipulations agreed upon. Turkey has had experience of such systems. For a State to be exposed in any way whatever to intervention in a part of the territories subject to its sovereignty is a calamity worse than death.

"The demilitarisation in question relates chiefly to the coastal fortifications and means of defence on the shores of the Straits. Now these fortifications will first of all be destroyed with the collaboration of the Allies. Once they are destroyed, would it be possible to rebuild these structures in secret—a process which would take many months—especially in a locality so open to observation as the Straits? I wish to show in this way that control over demilitarisation is in itself quite unnecessary. If we assume the impossible and suppose that Turkey may violate her undertakings, it goes without saying that one could resort to the means usually employed between States in similar circumstances.

"It follows from all that I have said that demilitarisation will be placed on a solid basis if the fortifications are demolished at the outset, and if an undertaking is obtained from Turkey not to reconstruct them in the future.

"The considerations which I have laid before you will certainly be recognised by the public opinion of the world as a fresh sacrifice on the part of the Turkish delegation.

"What do the Allies demand? Demilitarisation of the Straits, passage of commercial vessels and ships of war, as provided in the scheme for the freedom of the Straits? We accept these practically *in toto*. But we cannot admit that these stipulations should confer a more favourable position on the Greek fleet and army. We also ask for a garrison at Gallipoli, and leave it to the Allies to determine its strength. If, on the other hand, we are not willing to admit that a Greek delegate should have a seat at Constantinople as a member of the Straits Commission, what could be more intelligible than our desire in this respect? Finally, we desire above all that the duties of the proposed commission should be limited to controlling the transit of war-vessels, in accordance with the scheme for the freedom of the Straits.

"I have the honour to state once more that this last point is the most essential feature in our claims.

"These are the last considerations which we have to present to you.

"I am convinced that when the statements which I have had the honour to make become known, the public will be astonished to find that Turkey, after giving due consideration to all the demands of the Allies, was obliged to insist on a bare minimum of claims, absolutely legitimate in character, and of vital interest to her. There is no doubt that the whole world will approve her conduct.

"As regards political guarantees, Turkey has not as yet received satisfaction. I wish to state our demands in this respect clearly.

"As Turkey has renounced the right to fortify her capital and has authorised all ships of war to penetrate to the very heart of her territory, nothing could be more legitimate than her request for an undertaking that she will be protected against any act of war which may be committed by fleets passing freely through the Straits.

"I hope that the draft dealing with this subject which I had the honour to hand in yesterday may constitute a form of political guarantee which will be logical, moderate and easy of execution. I await the views of the Allied Powers on this matter."

Lord Curzon said that if no one else wished to speak it would be his duty, out of respect to Ismet Pasha, to make a few observations on the speech which the latter had just made. That speech was delivered in a tone of moderation and conciliation, which Lord Curzon recognised, and he hoped that his own would be conceived and accepted in the same spirit.

No one would be in disagreement with the general principles with which Ismet Pasha began his speech, and Lord Curzon entreated him to believe that all the Allies' proposals had been designed to secure a reasonable measure of security for the Straits and for the capital of Turkey. He recognised the legitimate anxieties of the Turkish delegation in this respect. Ismet Pasha's point of view was that every measure which the Turkish delegation were willing to yield must be regarded as a great sacrifice on the part of Turkey. Other delegates present might perhaps regard many of these measures as concessions on the part of the Allied Powers. What one party regarded as a concession another was apt to regard as a sacrifice. Lord Curzon urged that there should be no dispute on this point, but that an endeavour should be made to arrive at an equitable solution.

Passing to the different points raised by Ismet Pasha, Lord Curzon was glad to note that his Excellency had accepted in clear terms the general clauses proposed by the Allies as regards the freedom of the Straits, and that he was in general agreement with the fundamental principles upon which those clauses were based. It therefore only remained to examine the practical application of the clauses.

The first point on which Ismet Pasha had raised objection was that of the garrison at Gallipoli. Ismet Pasha had originally proposed a force of 5,000 Turkish soldiers. The principle on which the Allies had proceeded was that no measures should be authorised either at Gallipoli or elsewhere to interfere with the freedom of the Straits, which had been accepted by both parties. Surely Ismet Pasha would recognise the fundamental contradiction between the conception of a demilitarised zone and the existence of a large force inside it. This was what the Allies had had in mind when drawing up their proposals. They had accordingly made provision for a Turkish garrison (the size of which was not yet determined) at Kavak beyond Bulair, the former place having been deliberately excluded from the demilitarised zone so that there might be no difficulty about the presence of Turkish forces there. It was also the case that the Turkish Government, which would have forces at Panderma, would be at liberty to transport them by sea to Gallipoli in the event of an attack and could easily do this in a few hours. But when Ismet Pasha laid stress on the existence of a force on the Gallipoli Peninsula itself, rather as a mark of sovereignty than for the purpose of repelling an attack, since the force in question would be small, was he not forgetting that by article 2 of the Allied demilitarisation proposals Turkey was allowed to maintain a force of gendarmerie on the peninsula? The difference between troops and gendarmerie was that, while both equally represented the sovereign Power, the former had a full equipment of guns, which would be a menace to the freedom of the Straits, and the latter had not. The Allied proposal had been made purely from the military point of view, and he hoped that Ismet Pasha might find it sufficient for his purpose if a force of gendarmerie were provided, since Turkish gendarmerie included both cavalry and infantry and was practically the same as troops without guns.

The second objection raised by Ismet Pasha was one of which Lord Curzon had now heard for the first time, and concerned the right enjoyed by representatives of the Great Powers to have stationnaires at Constantinople. It had never occurred to him that this concession could be regarded as injurious or humiliating to the Turkish Government; it was simply analogous to the acts of courtesy generally granted to the representatives of foreign Powers in every capital. Constantinople, being on the sea, was in a different position from inland capitals such as Paris and Berlin, and the privilege of having a stationnaire there had always been regarded as a concession of a courteous character voluntarily extended to the representatives of the Great Powers by the Turkish Government. He could not say whether the Ambassadors would insist on maintaining a concession which was given grudgingly; its whole value resided in the spirit in which it was offered, not in that in which it was received. Ambassadors at Constantinople required yachts and launches for their convenience just as those at inland capitals required motor-cars or carriages, to which no one could object. If the Turks persisted in thinking that the presence of a stationnaire was in any way an infraction of Turkish sovereignty, he would be quite willing to consider with his colleagues—two of whom were Ambassadors and one an ex-Ambassador at Constantinople—whether any concession could be made.

The remaining question raised by Ismet Pasha was one of great importance, and in this respect there had possibly been some misunderstanding. It concerned the inspection or control of the demilitarised zones. This question might be regarded either from the point of view of the principle involved or from that of the machinery to be set up. In regard to the principle, surely there could be no dispute. If the zones were to be demilitarised and there were to be no fortifications, batteries or engines of war within them, it was quite right and proper that steps should be taken to see that the obligation was observed; this was done wherever demilitarisation existed. The Turkish Government, in whose good faith the Allies were quite content to believe, could hardly object to the exercise of such means of observation. The Turkish objection apparently related rather to the manner in which this observation was to be carried out; and this brought him to the question of the proposed commission of the Straits. He had listened very attentively to what Ismet Pasha had said on this subject both at the previous and at the present meeting, and understood that his Excellency recognised such an institution as being desirable in itself. He had accepted it on both occasions for the double purpose of the smaller functions to which reference had already been made, and also of the more important duty of ensuring that the passage of men-of-war should be subject to the rules laid down. The commission was definitely included in the scheme submitted by Ismet Pasha on the previous day. He apparently objected to the commission having the duty of conducting the "surveillance" of the zones, and there might well be some force in this contention; possibly the commission was being asked to undertake functions outside its proper sphere. Lord Curzon had been talking the matter over with the heads of the French and Italian delegations and hoped that the Allies might be able to put before the Turkish delegation some suggestions later on which would meet the difficulty and enable them to maintain the principle without impugning the sovereignty or wounding the feelings of the Turkish Government.

There was one point to which Ismet Pasha and the Turkish delegation were always alluding—namely, their idea that somehow or other the Allied proposals inflicted damage on Turkish sovereignty. Such was not the Allies' intention in the least degree. Every treaty was in a sense a limitation of sovereignty for each of the signatories. For instance, if he (Lord Curzon) made a treaty of commerce with Turkey whereby only certain duties should be imposed on imports from Turkey into England, that was a limitation on British sovereignty, but he did not regard himself as wounded thereby. If Ismet Pasha would come and have a talk with him one day, he could give him a score of illustrations showing how the Great Powers were constantly binding themselves and shutting themselves up by treaties limiting their sovereignty. An instance was the treaty between Great Britain and the United States of America in regard to the Great Lakes between America and Canada. That treaty imposed a distinct limitation on the size and number of armed vessels allowed on those lakes, but it never occurred either to Great Britain or to the United States to regard this treaty as a wounding blow to its own sovereignty. He would not pursue the matter further, and only mentioned it because he wished to beg Ismet Pasha to dismiss the idea from his mind. He had pleaded to the same effect before, but apparently without much success. He trusted that Ismet Pasha would not represent Turkish sovereignty as something at which the Allies wanted to throw stones; all they wanted was to devise a just solution. When there was anything really injurious to Turkish sovereignty or liberty, then the Allies would be ready to consider it and to see whether they could give way in the matter.

M. **Bompard** said that he had been surprised to hear Ismet Pasha's request in regard to the *stationnaires* of the Embassies. The presence of these *stationnaires* was in no way connected with the question of the Capitulations. What was more, this custom had never given rise to any complaints at Constantinople. Communications were still difficult in Turkey, and it was natural that the Ambassadors should have *stationnaires* at their disposal for getting about.

M. Bompard asked Ismet Pasha not to insist on this demand. The other Turkish requests were far more serious, and they would certainly suffer if the question of *stationnaires* was pressed.

M. **Barrère** said that he had already appealed to the goodwill of all delegations with a view to devising a just and satisfactory solution. He observed with pleasure that this appeal had not been made in vain, and that a great step had been made towards conciliation and towards solving the important question of the Straits. On behalf of the Allies and on his own behalf he was happy to take note of the agreement which had just been reached as regards the broad principles on which the Allies had taken their stand with a view to safeguarding the freedom of the Straits. He felt sure that, after some further explanations and remarks, a final agreement between the Turks and the Allies would be attained.

Marquis Garroni said that he was glad to associate himself with the statements of Lord Curzon and M. Barrère. He shared the hope that the solution of the problem of the Straits would be found without any difficulty.

Baron Hayashi observed that, thanks to the spirit of conciliation shown by the Turkish delegation, differences of opinion on the question of the Straits, which had appeared to be very serious, were now vanishing. He rejoiced to see that the solution of the problem seemed imminent.

M. Spalaikovitch hoped that the Straits question would be settled without delay. The Turkish delegation could not fail to perceive that the arrangements proposed by the Allies would ensure the freedom of the Straits without infringing the sovereignty of Turkey. He was glad to note that a great step had been made towards the final solution of this important question.

M. Duca was convinced, as he had expressed the wish at the preceding meeting, that Ismet Pasha, with his usual goodwill, would carefully re-examine the draft of the Allies. He therefore expressed his satisfaction to note that the result of this further study had allowed him to find on that day a solution imbued with the spirit of conciliation and likely to assist in making considerable progress towards the realisation of the freedom of the Straits and world-wide peace.

Ismet Pasha said that he wished to clear up one point which he regarded as essential so that no misunderstanding might be created in regard to the duties of the International Straits Commission. It was evident from his statements at the present and at the previous meeting that, in accordance with the programme for the freedom of the Straits, the commission should only be required to ascertain whether the provisions respecting warships were being observed. Further, the points to which the Turkish delegation agreed and those in respect of which they asked for modifications formed an indivisible whole.

(*The commission rose at* 5·25 p.m.)

No. 22.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Nineteenth Meeting, January 9, 1923, at 4 P.M., under the presidency of Lord Curzon.*

Present :

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir Horace Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Venizelos.
M. Caclamanos.

ROUMANIA.

M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.

Also present :

BRITISH EMPIRE.

Sir W. Tyrrell.
Mr. Malkin.
Mr. Ryan.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

M. Fromageot.
M. Laporte.
Lieut.-Col. Courtin.
M. Bargeton.
M. de Percin.
M. Barois.
M. Sanguinetti.

ITALY.

M. Arlotta.
M. Guariglia.
M. Galli.
M. Polverelli.

UNITED STATES OF AMERICA.

Mr. Dwight.
Mr. Amory.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Mr. Koshida.

GREECE.

General Mazarakis.
M. Dendramis.
M. Politis.

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* These minutes do not represent the signed versions of speeches other than the British.

ROUMANIA.

M. Contzesco.
Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Antitch.

TURKEY.

Shukri Bey.
Lieut.-Col. Tevfik Bey.
Hussein Bey.
Djevad Bey.
Jahya Kemal Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Georgevitch.

TURKEY.

Rechid Safvet Bey.

Interpreter: M. Hervé.

THE commission had before it M. Montagna's report on the work of the Sub-Commission on Minorities (Annex).

M. MONTAGNA reminded the commission that the questions referred to the sub-commission were of two kinds: Firstly, those concerning the general protection of all minorities settled in Turkey, and, secondly, those concerning particular ethnical groups resident in that country. As regards the first category of questions, the sub-commission had succeeded, thanks to a sincere effort of conciliation, in reaching almost complete agreement on a set of clauses designed for the purpose of guaranteeing the protection of minorities in an efficacious manner. The delegations had consequently been able, by common consent—

(*a*.) To define the persons whose protection was to be ensured by these clauses.

(*b*.) To establish the principle of absolute equality, both civil and political, between non-Moslem minorities and Moslem Turkish nationals.

(*c*.) To guarantee to those minorities complete liberty to use their own languages in all spheres of social life, religious freedom and liberty of the press.

(*d*.) To ensure that their pious, religious, charitable, educational and social institutions in general should be preserved and safeguarded.

These provisions were no doubt of the greatest importance, but none of them was of so much value to the minorities as that regarding personal status and family law. The whole of these provisions was placed under the guarantee of the League of Nations.

The sub-commission had been much less fortunate as regards the second part of its programme, *i.e.*, the questions concerning certain ethnical groups resident in Turkey. As it had not been able to reach agreement on this subject, it had been obliged to refer back to the main commission the questions of the Armenians, the Assyro-Chaldeans and the Bulgarian emigrants in Eastern and Western Thrace. In all these questions the sub-commission had met with an absolute refusal on the part of the Turkish delegation.

Nevertheless, M. Montagna still cherished the hope that the Turkish delegation, realising the interest taken in these questions by public opinion all over the world, and taking into account the purely humanitarian spirit by which the Powers were guided in making their recommendations on this subject, would not bar the road to negotiations whereby the Powers were seeking to secure the triumph of a great moral cause.

Apart from this, there remained two points of disagreement which required a solution :—

(*a.*) The exemption of non-Moslems from military service.
(*b.*) The extension of the amnesty.

The Turkish delegation definitely refused to exempt non-Moslems from military service, because they were not willing to infringe the principle that all are equal in the eyes of the law; because they were apprehensive lest a favour of this kind might increase the economic strength of the non-Moslem population in Turkey; and because they feared that if the non-Moslems escaped military service they might increase in numbers to the detriment of the rest of the population. They indicated, however, that if the principle of exemption from military service were admitted by Turkish legislation in whole or in part, that principle should be applied to all Turkish nationals alike.

In the matter of the amnesty, it was agreed in principle that this amnesty should be as broad as possible, so as to assist materially in the calming of passions. Differences on this subject were confined to certain points of detail.

M. Montagna was convinced that there would be no difficulty in reaching agreement on these two points. He trusted that the commission itself might succeed in bringing about that agreement, by appealing to the spirit of goodwill and conciliation which had characterised the greater part of the sub-commission's labours. Such agreement would doubtless be an excellent omen for the restoration of peace, which was so ardently desired by the conference and so eagerly awaited by the whole world.

M. BARRÈRE spoke as follows :—

"I have followed with quite exceptional interest the discussions at the Sub-Commission on Minorities, dealing as they did with a matter in which France has felt very special concern, owing to the ancient traditions of her Eastern policy.

"M. Montagna's eminently clear and full report has revealed to me that on most of the questions referred to it the sub-commission has succeeded, after arduous and sometimes lively debates, in reaching an agreement which bodes well for the future.

"The scheme laid before us is almost entirely based upon treaties already concluded with most of the Powers whose territories contain minorities, so that the sovereignty and independence of Turkey are completely safeguarded—thus entirely meeting the wishes which the Turkish delegation have frequently expressed.

"The concessions made by the Allies have been many in number and important in character, as the Turkish delegation have doubtless observed. To mention only two instances, the Allies have waived their demand for the constant presence in Turkey of a representative of the League of Nations, and the special guarantees provided by the scheme under discussion have been limited to non-Moslems. These two concessions are tangible signs of a conciliatory spirit on the part of the Allies, and Turkish public opinion will see in them a proof of the Allies' benevolent dispositions towards Turkey.

"I am confident that the Turkish delegation will, for their part, bear these concessions in mind when they examine the points which still require discussion by the conference, and will display the same conciliatory disposition as the Allied representatives—particularly as regards the object of the present debate, namely, the amnesty and military service for non-Moslems.

"Finally, I should be glad to see the Turkish delegation take into consideration a matter which is specially deserving of interest, namely, the fate of the various ethnical groups; for instance, the Armenians and Assyro-Chaldeans, who have been so sorely tried during the last few years, and the Bulgarians.

"At a moment of such great importance in the history of Turkey, who is evidently desirous of entering upon a new path, nothing could win for her such universal sympathy as the adoption by her own free will of measures calculated to efface the resentment of past years and to encourage the peaceful development of these minorities, since the confident collaboration of all ethnical elements in the population would be the surest guarantee of her future prosperity."

ISMET PASHA wished to begin by thanking the Minorities Sub-Commission for the manner in which it had conducted its labours. He recognised that the sub-commission had examined and discussed the questions submitted to it in a truly conciliatory spirit which deserved all praise. It had proved possible to reach agreement on many points, chiefly owing to the fact that the Turkish delegation had accepted the provisions embodied in other treaties of guarantee signed by certain European States, while endeavouring to adapt these provisions to the local needs and special position of the minorities in Turkey.

But although there was agreement on the essential questions, two points remained which still required solution :—

1. The exemption of persons belonging to non-Moslem minorities from military service; and
2. The general amnesty.

The Turkish delegates had not failed to set forth to the sub-commission in detail the serious reasons which prevented them from accepting the views of the Allied Powers in the matter of exempting non-Moslem minorities from military service. There was, therefore, no need to go into that question again.

As regards the amnesty, the most important point in the opinion of the Turkish delegation was this: As an effort was now being made to assuage the sorrows of war and people were acting in a spirit of great tolerance and generosity towards those who had taken part in it, the same measures of clemency and pardon should be meted out to such Allied nationals as might have lent any assistance to the Turkish cause.

Ismet Pasha hoped that it might prove possible, in consequence of the conciliatory spirit shown on both sides, to devise a satisfactory solution of these two questions.

Turning to the question of national homes for particular groups, he observed that the Allied proposals on this matter would involve the dismemberment of Turkey. The Turkish delegation therefore could not so much as embark on a discussion of any system of this kind.

As regards the Bulgarian minorities, Ismet Pasha confined himself to remarking that it was impossible to reopen the question of an exchange of populations carried out ten years ago, on the strength of conventions concluded in due form by Turkey and Bulgaria.

In conclusion he once more expressed the hope that agreement would finally be reached on the two essential points which were still in suspense—amnesty and military service.

M. VENISELOS said that he did not wish to restate to the commission the arguments which he had developed at length before the sub-commission. When the Turkish delegation argued that the principle of equality of all in the eyes of the law would be infringed by exempting a particular category of citizens from military service, he had replied with a proposal to take away from the non-Moslem minorities the right of taking part in the affairs of the country. It seemed to him that equality would be re-established if these minorities were deprived of political rights. Besides, the equality of which the Turkish delegation made use as an argument did not, in fact, exist as between Moslems and non-Moslems in regard to military service; for whereas the Moslems served in an army where all officers and non-commissioned officers were of their own religion, the non-Moslems only served in the ranks, and their real position was entirely different from that of the Moslems.

As regards the amnesty, M. Veniselos indicated that it would not be difficult to reach agreement; but he asked that on one point in the draft of the Allied delegations a limitation might be made. His proposal was to insert the following provision between the first and second paragraphs of the draft:—

> "The operation of this measure shall not extend to breaches of military laws and regulations committed by Greek military persons in Greece and by Moslem military persons in Turkey during their active service in the regular army."

In his opinion, there was no ground for pardoning military offences committed by such military persons as could not plead in their favour that they were fighting for a cause to which they had conscientious objection. The inevitable consequence of letting these persons benefit by the amnesty would be to weaken military discipline. In this respect the Greek and Turkish delegations were in agreement. On the other hand, there was no ground of general interest on which the Allied Powers could ask for the pardon of these offences, especially when they were committed by officers and non-commissioned officers; M. Veniselos therefore hoped that the commission would accept his proposal.

M. Montagna pointed out that the question raised by M. Veniselos had already been discussed at great length by the sub-commission. The Allied delegations had throughout rejected all proposals to limit the scope of the amnesty, for such restrictions would have infringed the principle upheld by them, which was to make the amnesty as wide as possible. It was incontestably of the greatest interest to the Powers to secure the utmost comprehensiveness in the pardon of offences, for there were great practical difficulties in the way of distinguishing between military and political misdemeanours, especially when they had been committed in exceptionally troublous times.

The purpose of the Powers in declining to accept M. Veniselos's proposal was to prevent the amnesty becoming inoperative in political cases. The Powers felt that by championing the cause of pardon they were contributing to the general restoration of peace, not only between nations, but also within each nation; this action was both politically advantageous and consonant with highest moral ideals.

Ismet Pasha read the following declaration in continuation and completion of his previous statement:—

> "Turkish nationals who have been arrested in Turkey by the Allied authorities on political, military or common law charges, or for reasons based on public interest or police measures or any other reasons, and have been conducted outside Turkey, whether they have been condemned or not, must be handed back to the Turkish Government.
>
> "The provisions regarding the amnesty would be left incomplete if the question of prisoners of war were not taken into

account. We therefore ask that a clause respecting reciprocal amnesty for prisoners of war and civilian prisoners who have committed any punishable offence may be included in the treaty."

M. MONTAGNA reminded the commission that the question of prisoners of war was under examination by the military experts, who had not yet expressed their opinion. It should be possible to separate this question provisionally from the proposals now under discussion.

M. VENISELOS regretted that he could not regard M. Montagna's reasons for rejecting the proposal of the Greek delegation as convincing. There was no disagreement between the Greek and Turkish delegations on this point. As the two delegations which were directly interested did not differ on the subject, there appeared to be no need for the Powers (who had not been asked to arbitrate) to impose on Greece a measure which was most repugnant to her. There had never been any military conflict between Greece and the inviting Powers; on the contrary, during the greater part of the war Greece had been on the Allied side. M. Veniselos was surprised to find that when there was no disagreement between the Greek and Turkish delegations the Allied Powers should insist on imposing a measure of which the Greek people strongly disapproved.

LORD CURZON spoke as follows:—

"As I am president of the commission which deals with this matter, and as the report of the sub-commission has been addressed to myself, some observations may be expected from me. It would be unfortunate if a matter of this supreme importance were dismissed in the course of half an hour. The commission ought also to have a general idea of what the sub-commission has succeeded in achieving, and of the points on which it has not yet arrived at a result.

"I desire to associate myself with the compliments that have been passed by the previous speakers upon the labours of this sub-commission. It has met sixteen times, it realised the extreme gravity of the question, it has worked hard, and, as his Excellency Ismet Pasha has just said, on the whole all the participants have shown a conciliatory spirit. I think an especial tribute of thanks is due to the chairman, M. Montagna, who, during the last two or three weeks, has laboured unceasingly with a patience and sincerity beyond compare in order to arrive at the report which has just been presented.

"What has the sub-commission succeeded in effecting? The general nature of the guarantees secured was briefly summed up in M. Montagna's speech, and is stated as follows in his report:—

> "'The Turkish delegation have agreed to guarantee to the non-Moslem minorities the enjoyment of the same civil and political rights as to Moslems, equality before the law of all inhabitants of Turkey without distinction of religion, freedom

> for all Turkish nationals to make use of such languages as they wish in their private and commercial intercourse, and also as regards religion, the press and public meetings. Turkish nationals who use a language other than Turkish will also enjoy suitable facilities for speaking in their own language before the courts. As regards charitable, religious or social institutions, schools and other educational establishments, the non-Moslem minorities will have the same rights as all other Turkish nationals, but suitable facilities will be given to them as regards public education in the towns and districts where the non-Moslem minorities reside in considerable numbers.'

"M. Montagna further told us that all these stipulations are to be placed under the guarantee of the League of Nations.

"The second point of common agreement is that raised by the difficult question of the family law and personal status of non-Moslem minorities. In this respect the Turkish delegation, I am glad to say, showed a conciliatory spirit. Arrangements are to be elaborated by a special commission composed of Turks and representatives of the minorities concerned, with reference, in case of dispute, to an arbiter to be agreed upon by the Turkish Government and the League of Nations. I therefore hope that in these respects we shall obtain substantial guarantees for the application of the laws and established usages of these communities.

"There is a third point which has not yet been mentioned, but on which I desire to offer a tribute to the conciliatory spirit shown by the Turkish delegation, namely, that they have accepted the outcome of efforts made by the Allied Powers since the armistice to bring back Islamised women and children to their homes or communities, and to replace Christians in possession of property arbitrarily taken from them during the war. The Turkish delegation refused to bind the Turkish Government to any continuance of this work of restitution, but agreed not to dispute the action already taken under the auspices of the Allies and to submit to arbitration all cases in which such action might be contested by individuals.

"I next turn to the two great concessions which, as M. Barrère has just observed, were made by the sub-commission in deference to representations from the Turks. The sub-commission originally pressed for the inclusion of all racial minorities, Moslem and non-Moslem—for instance, the Kurds, Circassians and Arabs. The Turkish delegation insisted that these minorities required no protection, and were quite satisfied with their lot under Turkish rule. I hope that this will be the case. Anyhow, the sub-commission, relying on this assurance, agreed, though reluctantly, to restrict the demand for protection to non-Moslems. I believe they hope that in article 2 may be found sufficient protection for these minorities. I do not feel very confident, but I hope for the best.

"I now come to M. Barrère's second point, that concerning a special representative of the League of Nations at Constantinople. I was very much surprised at the objections raised by the Turkish delegation on this point. Let me tell them that this is not in any sense a question of principle, but of expediency and convenience. The Greek delegation were quite prepared to accept such a representative of the League of Nations at Athens. The League of Nations has an office in London and also, I believe, in Paris. If the League asked to send a representative to London, I should never dream of objecting, and I am sure M. Poincaré would say the same in Paris. It would not occur to us that this was a blow at our independence. I feel pretty sure that later on, when peace is concluded and Turkey is a member of the League of Nations, she will find it a great convenience to have a representative of the League of Nations in her capital. I therefore think that the objection now made by the Turks will not be maintaind in practice.

"I now come to the two questions which have been mentioned in every speech this afternoon and on which agreement has not yet been reached.

"The first was that of exemption from military service. I do not desire to repeat what I have already said on previous occasions, nor to point out to what extent compulsory military service has been used as an instrument of oppression or extortion upon religious minorities in Turkey. But the question is one which excites grave and legitimate interest in all quarters. The Allies originally proposed complete exemption of the minorities from military service on payment of a tax. When the Turkish delegation objected to this, the proposal of the Allies was watered down to the point of suggesting that there should merely be a discussion in consultation with the League of Nations as regards the possibility of exempting these persons from military service in future. Nevertheless, great as this concession was, the Turkish delegation refused on the ground that this was a purely internal concern of Turkey and that they could not make any distinction between Moslems and non-Moslems in this respect. I learnt of this refusal with some surprise, for my attention had been called to a law passed by the Grand National Assembly of Turkey in February of last year. This law was, it is true, an exceptional measure and for a limited period, but it laid down that non-Moslems who desired exemption might be so exempted upon payment of a tax varying from £T. 1,000 to £T. 300, according to the financial capacity of the applicant. This tax seemed to me very heavy and oppressive; but I am only concerned now with the principle enshrined in that law, which is just what the Allies are contending for here. It means that the Grand National Assembly recognise that non-Moslems cannot usefully be incorporated in the Turkish army in time of war, and that it is better to take their service in some other form which will bring in substantial revenue to the State. I do not know whether Ismet Pasha will have anything to say on this subject, but I do wish to call his attention to the discrepancy between what has happened at Angora and his attitude here.

"The second question is that of the amnesty. M. Montagna said that the object of the sub-commission was to make that amnesty as large as possible and that it had accordingly pressed for the inclusion of all inhabitants of Turkey and Greece without distinction. The Turkish delegation, on the other hand, accepted the principle and desirability of an amnesty, but insisted on limiting it to non-Moslems. I put this question to them : Is that really a wise proceeding on their part? What does it mean? It suggests to the world that the Turkish Government looks forward to executing reprisals on its subjects, who may have rendered some service to the Allies during the war. This means that some of these communities who have fled from Turkey will either be afraid to return, or else will live and work in Turkey with the menace of possible reprisals hanging over their heads. Take the case of the Circassians who were spread about in Northern Anatolia from Brusa to the west. In the course of the war they were in close contact with the Allied Powers owing to the position in which they were placed. These people are now scattered abroad outside Turkey in every direction. But they form a very useful and important element of the population, and surely it would be to the interest of the Turks themselves to get them back under such conditions that they will be able to live and work without a perpetual grievance.

"Some observations have been made this afternoon as regards the draft declaration concerning the amnesty. M. Veniselos suggested an addition, and expressed some disappointment at the fact that, while the Turks agreed to it, the Allies did not. On the other hand, M. Montagna has told us that this proposal was carefully considered in the sub-commission, which felt obliged to decide against it. In these circumstances it is very difficult for the commission to cast aside the advice of the sub-commission.

"Another point was raised by Ismet Pasha in connection with prisoners of war, concerning which he wanted a paragraph inserted. I understood M. Montagna to say that this matter is already being examined by the Allied military experts, and that it may be possible, if the experts so advise, to introduce something in that sense.

"I am also told that in the draft concerning the amnesty objection has been raised to article 2, and I understand that M. Bompard will in all probability have something to say about this on behalf of the French Government after I have spoken.

"But I note one other observation of even greater importance. Ismet Pasha said that on these two questions of military service and the amnesty he hoped we might arrive at a result. I am not quite sure whether he meant that if the Allies would withdraw their objections as regards military service the Turkish delegation were prepared to accept an amnesty in the manner proposed, possibly with certain small exceptions. I do not press for a reply at this moment if it is inconvenient for Ismet Pasha to give it, but I feel sure he will let us know the views of the Turkish delegation later.

"There is only one other feature in the report of the sub-commission to which I must refer. That is the point to which M. Barrère has alluded, a point to which immense importance is attached in the outside world, namely, the position of the isolated communities to whom reference has been made. The inviting Powers decided after full consideration that they could not refuse to hear the representatives of the Armenians, the Assyro-Chaldeans and the Bulgarians who were in Lausanne. No other course was open to them; the delegations were here, they had been waiting for weeks, they included important persons, and they had a genuine case to present to the world. I very much regret that the Turkish delegation declined to assist in the particular meetings at which they were heard. I believe it is a sound rule, if anyone has a grievance, to let him come and explain it to you. I also greatly regret that an incident occurred on one occasion at which one of the Turkish delegation thought it desirable to retire from the meeting on the ground that this question was being raised from a political point of view. I trust the Turkish delegation will believe me when I say, and I am sure all my colleagues will agree, that there is no political object at all. As M. Barrère has just said, the object is purely humanitarian.

"First, as regards the Armenians, I need only say a few words, as the question has been argued with great ability by M. Montagna in his statement. He showed that the suggestion of a national home implied no intention to attack the sovereignty of Turkey, to create an *imperium in imperio* or a State within a State, or to set up an autonomous régime.

"I am somewhat surprised at the Turkish objections to our proposals, for it was the Turks themselves who recently proposed, in connection with the Ægean Islands, the setting up of a special autonomous régime which did not infringe the sovereignty of Turkey. But M. Montagna did not even go so far as that; he only proposed that either in the south, near the Syrian border, as suggested by Sir Horace Rumbold, or somewhere else, a place should be set apart, under Turkish rule and with a Turkish Governor-General, where the Armenians could congregate for the purpose of maintaining their race, language and culture. The Turkish delegation refused the proposal even in this innocent form, and Ismet Pasha apparently repeated that refusal just now. I hope the Turkish delegation will not be too precise and definite upon this point. Later on, when peace is concluded and Turkey, having become a member of the League of Nations, is making arrangements for the disposition of the populations in her territory, I believe she will find it in her own interest to make some arrangement of this sort which will serve as an encouragement to the Armenians.

"The second community whose case was heard was the Assyro-Chaldeans, a small people, but in respect of race, history, religion and sufferings one which excites greater interest in the world than any other community of the same size. These people are scattered in every direction; they were driven out by the war from their habitations in Turkey and Persia. A certain number of them are now more or less under British protection on the borders of Iraq. Our regard for them is not purely platonic, for 4,000,000*l*. have been spent on their relief since the armistice. At present numbers of these people are either in Turkish territory or want to go back to the place in Turkish territory near Julamerk where they originally were. We will certainly do our best for those who are within the confines of British influence, and as regards those who are already in Turkey, or propose to go back there, I hope that the Turkish Government will give full guarantees for their language, schools, customs and religion.

"The third group who were heard by the inviting Powers were the Bulgarian refugees from Thrace. I do not quite understand the Turkish objection to the return of these people. The Greek delegation were willing to admit those who were in Western Thrace before the Balkan wars, but the Turkish delegation refused them altogether. And not merely did these people live for years in Eastern Thrace, but they were the allies of Turkey during the war.

"I think that these are the only observations with which I desire to trouble the commission. I hope that the few points which remain may still be the subject of amicable settlement, and that the Turkish delegation will pay me the compliment of examining some of the larger considerations which I have ventured to put before them."

M. BOMPARD wished to make some remarks on paragraph 2 of the Allied draft respecting the amnesty. That paragraph extended the amnesty to Moslems in the various possessions, colonies or protectorates of France, Great Britain and Italy. The French Government was obliged to make reservations on this point. French public law did not permit of a distinction being drawn between French citizens or nationals on account of their belief or religion. It was therefore impossible to admit that military persons in the service of France should not be made to pay the penalty for offences which they had committed by passing over to the enemy, and in certain cases by bearing arms against France, for the mere reason that they were Moslems, while French military persons who were not Moslems did not have the benefit of any amnesty in similar cases. The French Government wished, however, to exercise the utmost clemency towards the prisoners in question, and M. Bompard was authorised to state on behalf of his Government that the case of each individual prisoner would be examined separately with a view to ascertaining whether some measure of pardon was appropriate. He hoped that this statement would satisfy all the delegations.

LORD CURZON observed that the case of the British Empire in this matter was not precisely identical with that of France. The British delegation were content with paragraph 2 as it stood; but if M. Bompard desired on behalf of the French delegation that it should be withdrawn, Lord Curzon had no objection; and he associated himself with M. Bompard's concluding remarks.

M. BOMPARD thought it would suffice if the words "de la France" were eliminated from paragraph 2.

ISMET PASHA said that out of deference for Lord Curzon he was willing to reply at once to certain remarks of the delegates who had spoken before him.

The Allies represented the limited interpretation put upon the term "minorities" as a great concession to the Turkish delegation. The later did not regard matters in this light. There were no Moslem minorities in Turkey, for no distinction was made either in theory or in practice between the various elements of the Moslem population. Lord Curzon had expressed the hope that these Moslem elements would be able to live on perfectly good terms with the Turkish population. Ismet Pasha was firmly convinced that future events would fully justify that expectation.

As regards the non-Moslem minorities, Turkey had agreed to grant them rights based on the provisions of the treaties concluded by certain European States. If exceptional measures were advocated the labours of the conference would lose all their practical and equitable character. When Turkey had brought about the complete restoration of peace, the world would recognise what good grounds there were for the remarks made by the Turkish delegation in this connection. As regards the proposal of the Allied Powers to have a representative of the League of Nations sent to Turkey, Ismet Pasha could not see any utility in it.

Turning to the question of military service, Ismet Pasha said that all the arguments in support of the Turkish case had been laid before the sub-commission. It was quite true that the Christian subjects of the former Ottoman Empire used to enjoy exemption from military service in return for the payment of a special tax. But since about fifteen years ago compulsory service had been extended without distinction to all citizens, no section of whom could be allowed to evade their most essential duties towards the commonwealth in a constitutional country. Thus, during the Balkan war, and later on during the great war, Ottoman nationals had been called to the colours without any religious distinction. Facilities for exemption from military service by means of payment had been granted to non-Moslems during the recent war with Greece. This was due to very special circumstances of an essentially provisional nature. When the Greek army invaded Asia Minor, a great part of the Ottoman Greeks were situated within the zones of military operations; these Greeks, who had previously been free to live at Smyrna and in the districts subsequently occupied by the enemy, gradually came to form the major part of the effectives of the invading army. This situation, as was only natural, had radically modified the bonds of union with their country. Ismet Pasha assured the commission that the Turkish Government had always been inspired with the sincerest desire for pacification, that it had sought by all possible means to prevent dissensions between the various elements of the people, and to establish concord and affection among them. The first essential condition for achieving this was that all sons of the same nation, without distinction as regards race or religion, should enjoy equal rights and be subject to the same obligations. The Government of the Grand Assembly had seen fit, under the circumstances just mentioned by him, to exonerate non-Moslems from military service for a limited period; but this measure, which circumstances had rendered necessary, could not be used as an argument in regard to the future, any more than the relations existing between countries in war time could be used as the basis on which to settle the relations governing the re-establishment of peace. The Government of the Grand Assembly attached the greatest importance to the unity and indivisibility of Turkey; it considered that all rights, duties, advantages and obligations ought to be shared by all Turkish citizens alike.

As regards the amnesty, Ismet Pasha wished to explain why he declined to let it be applied to Moslems. The Allies claimed that they were imposing this amnesty for the purpose of effecting a general calming down of passions among the people of one and the same country. The Turkish delegation could not admit that the Allies, in so doing, should contemplate encouraging treason and betrayal of country in future. They were just as anxious as the Allies to adopt pacificatory measures with a view to relieving the sufferings caused by the war, but they intended to maintain such exceptions as they saw fit in view of the idea which Ismet Pasha had just indicated.

In the matter of national homes, Ismet Pasha said there was no need for him to add anything to his previous statements. He was convinced that the measures which had been advocated for the purpose of guaranteeing the rights of non-Moslem minorities would so completely efface all trace of the wounds and sorrows left by the war, that no obstacle would remain in the way of bringing about perfect understanding between all Turkish citizens, who by co-operating in all good faith for the welfare of the country would render the future recurrence of such questions impossible.

As regards the Bulgarian emigrants, Ismet Pasha said that at the time of the Balkan upheaval in 1912 a certain number of Bulgarians dwelt in Eastern Thrace. After that war Turkey concluded a treaty with Bulgaria providing for the exchange of these populations. The provisions of that treaty, which was made with the free consent of both parties, had been carried out in mutual agreement by the Governments concerned. At the time of the great war no Bulgarians remained in that region. Ismet Pasha could not, therefore, refrain from surprise when he saw that the Allied delegates were seeking to reopen a question which, as he had just explained, had been definitely settled ten years previously. Acceptance of the Allies' demand would amount to authorising a fresh immigration and creating new difficulties. That was what the Turkish delegation opposed.

In conclusion, Ismet Pasha expressed the hope that the two outstanding questions—amnesty and military service—might be settled in a satisfactory manner and in the interest of genuine peace.

LORD CURZON thought it would be desirable to ask the sub-commission to hold another meeting as soon as possible, in order to discuss the points remaining over from the present debate, namely, amnesty and military service.

This was agreed to.

(*The commission rose at* 6·20 P.M.)

ANNEX.

Report addressed to Lord Curzon, President of the First Commission, by M. Montagna, President of the Sub-Commission on Minorities.

Mr. President, *Lausanne, January* 7, 1923.

THE sub-commission appointed by the First Commission to examine the question of the protection of minorities, after long and laborious discussions, has been able to reach an agreement on several of the points which were submitted to it, but it has been obliged to interrupt its labours because of certain divergencies which arose on certain points, so that we have been unable to submit to the First Commission, as we should have wished, and as we had believed at one time was possible, a report showing a complete identity of view on all the subjects which we have discussed and which formed part of the programme outlined at the beginning of our negotiations.

I have the honour to indicate to your Excellency below the various points where we have been able to reach agreement, and those which still remain to be settled, both as regards the clauses concerning the protection of minorities (Sub-Annex 1), and as regards the declaration concerning the amnesty (Sub-Annex 2).

(a.) *Questions Settled.*

The first fundamental question before the sub-commission was to decide to what categories of persons the provisions which we might establish for the protection of minorities should apply.

Although an agreement on this question was not reached in the sub-commission until after the discussion of most of the clauses concerning the protection of minorities, I think I ought to begin by mentioning the solution which we have given to this question; for in reality it is the fundamental point of our labours.

After a long discussion on the applicability of the clauses concerning the protection of minorities, to all national, racial, linguistic and religious minorities residing in Turkey, including the Moslem minorities, the sub-commission considered that it could restrict the applicability of these clauses to non-Moslem minorities, in view of the fact that by an article of general scope (see article 2 of the annexed draft) Turkey undertook to grant all her inhabitants full and complete protection for their lives and for their liberty, without distinction of birth, nationality, language, race or religion, and that by this same article Turkey guaranteed to all her inhabitants the right to the free exercise of every faith, religion, or belief. Turkey having shown a sincere and firm desire to adopt a modern and progressive policy, and since it is reasonable to have complete trust in her intentions, the sub-commission decided that it was not possible to insist on the demand that protection should extend to Moslem minorities, who will find in the new organisation of the Turkish State the guarantees necessary for security in their life and labour.

In the articles accepted by the Turkish delegation which are annexed to the present report, the commission will be able to observe that, on the basis of the minorities treaties which the Allies have concluded with other European States, the Turkish delegation have agreed to guarantee to non-Moslem minorities the enjoyment of the same civil and political rights as to Moslems; equality before the law for all inhabitants of Turkey without distinction of religion; and the free use, by all nationals of the country, of the languages which they may wish to employ in their private or commercial intercourse, and also as regards religion, the press and public meetings. Turkish nationals of language other than Turkish will also enjoy suitable facilities for the oral use of their language before the courts. As regards charitable, religious or social institutions, schools and other teaching and educational establishments, non-Moslem minorities will have the same rights as all other Turkish nationals, but suitable facilities will be given them in the matter of public instruction in towns and districts where the non-Moslem authorities live in considerable numbers.

The questions relative to the settlement of the family law and personal status of non-Moslem minorities gave rise to very thorough discussion with the object of finding a common ground in regard to the guarantees which it was necessary to provide in order that the position of these minorities in Turkey, while they should be maintained on an equality with other Turkish subjects, should not become incompatible with the maintenance of those traditions and customs to which they must be able to continue to conform.

As it was impossible to prolong indefinitely debates of an essentially legal nature, with a view to determining the exact bearing of the different customs existing among the non-Moslem minorities in Turkey on questions of personal status and family law (this would have meant an excessive broadening of the scope of the sub-commission's work), we considered that we could agree on the arrangement which you will find in article 6 of the annexed draft. This arrangement has been adopted in view of the reasons outlined above, and because the Turkish Government agreed itself to elaborate new arrangements which would allow this matter to be settled according to the usages of the non-Moslem minorities.

The sub-commission therefore proposed that these arrangements should be elaborated by special commissions, composed of representatives of the Turkish Government and of representatives of each of the minorities concerned, and that, in case of disagreement, an arbitrator should be appointed by common agreement between the Turkish Government and the Council of the League of Nations. In this way we consider that every guarantee will be found to exist for the elaboration of the arrangements which so closely concern the non-Moslem minorities, and that the Turkish Government will be able to co-operate in them while fully safeguarding its sovereign rights.

The Turkish delegation finally agreed that all these stipulations concerning the protection of minorities should be placed under the guarantee of the League of Nations and that any dispute on this subject should be considered as having an international character and be referred to the permanent Court of International Justice.

With a view to obtaining a more complete guarantee for the application of the measures regarding minorities, we would have liked Turkey to agree to a special representative of the League of Nations residing at Constantinople and fulfilling this mission. But although the Greek delegation showed themselves ready to agree for their part to the appointment of another representative of the League of Nations with a mission corresponding to that which would have been instituted for Turkey, the Turkish delegation felt unable to accept this arrangement.

The sub-commission considered that it could not insist upon this point, especially in view of the fact that, as the League of Nations was to guarantee the arrangements relative to minorities, and Turkey had signified her intention to join the League herself after the conclusion of peace, this fact in itself constituted an assurance that no steps would be taken by the Turkish Government which could constitute an infringement of the obligations to be assumed by it in regard to the minorities.

(b.) *Questions Not Settled.*

In spite of all the efforts made by the various delegations to induce the Turkish delegation to find a basis for complete agreement on all questions, it has not been possible for us, to our great regret, to agree altogether on the question of military service and on that of the amnesty.

As regards the former, with a view to meeting the wish of the Turkish delegation not to insert in the clauses respecting minorities any provision which might, even in the most distant way, seem to infringe the sovereign rights of Turkey and the equality of all her citizens before the law, we desisted from demanding an immediate promise of special treatment for minorities, that is to say, exemption from military service in return for the payment of a tax. We confined ourselves to proposing to the Turkish delegation that they should agree to examine this question in collaboration with the Council of the League of Nations; for in this way Turkey could have satisfied herself more easily that our request had no political object, and was inspired only by the special conditions resulting from the position of the minorities in Turkey. But the Turkish delegation did not consider that they could give a satisfactory reply on this head, and confined themselves to demanding the unequivocal withdrawal of any proposal of the Allies concerning exemption from military service in favour of the minorities. It must, however, be observed here that the Turkish delegation formally declared that if Turkey exempted Moslems, either in part or in whole, this advantage would also be granted in the same conditions to all her non-Moslem nationals.

As regards the amnesty, the sub-commission was of opinion that it was equitable to meet the desire of the Turkish delegation that this question should not be settled in the clauses forming part of the body of the treaty, but rather by a common declaration of all the Powers concerned, to be annexed to the future peace treaty of which it should form an integral part. This method of procedure would in fact be more in conformity with the sovereign character inherent in every grant of amnesty.

However, though agreement was reached on the form to be given to this declaration, certain important points still remain in dispute. Taking as their ground a high moral principle, and in the hope of assuring a real and complete pacification of those districts where the calamities of war have raged during so many years, and where political passions have left in the consciousness of individuals scars which can be obliterated only by a wide and prudent clemency, the Allied delegations proposed that the amnesty should extend to all the inhabitants of Turkey and of Greece without any distinction. But the Turkish delegation insisted and continue to insist on restricting the amnesty to the non-Moslem inhabitants of Turkey, being desirous of reserving to the Turkish Government the right to maintain and to pronounce all the penalties prescribed by the law against the Moslem inhabitants of Turkey who may have become guilty of punishable acts during the war.

On the other hand the Greek delegation reserved to themselves the right to request of the commission over which your Excellency presides that the Moslem inhabitants of Turkey and the non-Moslem inhabitants of Greece should be excluded from the benefit of the amnesty for acts relative to their military conduct. My colleagues and myself protested against this request; we believe it to be contrary to those general principles of pacification, based upon the need for allaying political passions, the adoption of which we have never ceased to urge.

The Turkish delegation further refused to include in the declaration of amnesty crimes and offences of common law which were connected with political and military events.

The question of an amnesty for prisoners of war is still being examined by the Allied military experts; for it is connected with the wider question of the exchange of prisoners of war.

The French delegation formulated certain reservations in regard to the possibility of agreeing to an amnesty for the Moslem inhabitants of French territories (including colonies, protectorates or possessions), in the case of persons condemned for military or political help given by them to Turkey in areas where military operations between Turkey and the Allies had taken place.

The Turkish delegation, however, did not agree to this arrangement, and insisted on claiming from the Allied Powers a general amnesty for all their Moslem subjects.

Such are the points of disagreement which still exist on the question of the amnesty. But happily an agreement has been reached on the very important question of the work which has been accomplished under the auspices of the Allies for the reuniting of families dispersed by reason of the war. The Turkish delegation agreed to recognise this work, on condition, however, that any eventual complaints against the decisions taken be submitted to a special commission composed of one delegate of the Red Crescent and one delegate of the Red Cross.

I am convinced that by adopting an attitude of mutual concession, we might perhaps have overcome one or two more of the difficulties which blocked the way to a complete agreement on all the questions submitted to us. My Allied colleagues, to whom I wish to express my special thanks for their invaluable co-operation, would certainly have contributed, as they have done in the case of the other difficult questions which we have settled, to surmounting some of the obstacles with which we were faced.

The delegates on the Sub-Commission on Minorities, although the Turkish delegation refused to be present at this hearing, felt that they could not refuse to receive the representatives of certain ethnic groups and to hear their requests.

First of all we received representatives of the Armenians, then those of the Assyro-Chaldeans, the Bulgarian delegation, and, finally, the representatives of the Committee of Emigrants from both Thraces. At the last meeting of the sub-commission I considered it my duty to inform the Turkish delegation of the questions put before us by these representatives. I had besides clearly pointed out to that delegation at the beginning of our labours, when I presented to them the list of the various questions connected with the protection of minorities (a list which formed the basis of our labours), that our task could not be considered to be accomplished by our reaching an agreement on these points only, but that other important questions besides remained to be dealt with. With the efficient help of my colleagues I accordingly drew the most serious attention of the Turkish delegation to the fact that public opinion in all countries expects of the Conference of Lausanne a settlement which will assure in a permanent way a peaceful existence for the Armenian populations in Turkey. I pointed out that this settlement might consist in an agreement with the Turkish Government, which should allow the Armenians (not only those who were still in Turkey but also those who are at the moment scattered abroad) to concentrate and reassemble in a locality within Turkish territory which the Turkish Government could itself choose in agreement with the League of Nations. I pointed out that this solution, so far from infringing Turkish sovereignty or wounding even the most delicate susceptibilities of the Turkish Government, would satisfy the public opinion of the world, and would prove to it the reality of Turkey's intention to enter upon the path of progress and adopt modern ideas. It would, moreover, have had the advantage of solving once and for all the old racial and religious problems which up to now have occasioned so much suffering and have been one of the causes of the decay of Ottoman power. I added that the Allies had, on behalf of other minorities, requested States who had not been their enemies but their allies during the war to accept arrangements which were far more onerous and more restrictive of the powers of the public administration, as, for instance, the measures which have been agreed upon with the Czechoslovak State in favour of the Ruthenians. I proposed that the arrangements to be made for the administration of the Armenian home should be examined in outline in our sub-commission, without prejudice to their settlement in detail by the Turkish Government itself in agreement with the League of Nations, after the geographical position of the home had been selected.

I proposed also to examine in a similar spirit arrangements with the object of enabling the Assyro-Chaldeans to reassemble at a fixed point in Turkish territory, and there to preserve, under the authority of Turkey, their customs and traditions. I finally addressed an urgent appeal both to the Greek and to the Turkish delegations, that their respective Governments should give us a formal assurance which should definitely tranquillise the Bulgarian populations of Western and Eastern Thrace, so that they might return to the homes which they had left in consequence of the wars. I proposed that the return of these populations should be organised in agreement with the League of Nations, or with such international humanitarian societies as Turkey and Greece should choose, in order to help them in this work, which must form an essential element in the general restoration of peace.

The Greek delegation declared that their Government would raise no obstacle to the return to Western Thrace of those Bulgarian populations who had been established there before the Balkan wars, but that the Greek Government did not intend to allow the return thither of Bulgarian elements who had immigrated into Western Thrace during the period when that region was under Bulgarian domination; for it considered that this immigration had taken place for political objects.

The Turkish delegation, however, met all the questions put to them, whether in regard to the Armenians, the Assyro-Chaldeans or the Bulgarian populations, with an absolute and clear refusal.

In these circumstances, all we could do was to refer the whole subject back to the First Commission, presided over by your Excellency, in the hope that it might there prove possible to find a common ground for the determination of the principles on which an agreement might be reached on the questions remaining unsolved.

As I had the honour to state above, our sub-commission succeeded in settling satisfactorily almost all the questions concerning the protection of minorities in Turkey. This allows one to hope that it may not be difficult to complete the work which we have all prosecuted in a spirit of conciliation, animated as we have been with the lively and sincere desire to take a further step towards that peace the attainment of which is, in this place, uppermost in all our minds.

I have, &c.

MONTAGNA.

Sub-Annex 1.

Draft Clauses regarding the Protection of Minorities.

ARTICLE 1.

TURKEY undertakes that the stipulations contained in the articles of the present section shall be recognised as fundamental laws, that no law, regulation or official action shall conflict or interfere with these stipulations, and that no law, regulation or official action shall prevail over them.

ARTICLE 2.

The Turkish Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey, without distinction of birth, nationality, language, race or religion.

All inhabitants of Turkey shall be entitled to the free exercise, whether in public or private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals.

Non-Moslem minorities shall enjoy full freedom of movement and of emigration, subject to the measures applied, on the whole or on a part of the territory, to all Turkish nationals, and which may be taken by the Turkish Government for national defence or for the maintenance of public order.

ARTICLE 3.

Turkish nationals belonging to non-Moslem minorities shall enjoy the same civil and political rights as Moslems.

All the inhabitants of Turkey, without distinction of religion, shall be equal before the law.

Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions and honours, or the exercise of professions and industries.

No restrictions shall be imposed on the free use by any Turkish national of any language whether in private intercourse or commerce, in religion, in the press, or in publications of any kind, or at public meetings.

Notwithstanding the existence of the official language, adequate facilities shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the courts.

ARTICLE 4.

Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and the same guarantees for their security in law and in fact as other Turkish nationals. In particular, they shall have an equal right to establish, manage and control, at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein.

ARTICLE 5.

As regards public instruction, the Turkish Government will grant in those towns and districts, where a considerable proportion of non-Moslem nationals are resident, adequate facilities for ensuring that in the primary schools instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision shall not prevent the Turkish Government from making the teaching of the Turkish language obligatory in the said schools.

In towns or districts where there is a considerable proportion of Turkish nationals belonging to non-Moslem minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets, for educational, religious or charitable purposes.

The sums in question shall be paid to the qualified representatives of the establishments and institutions concerned.

ARTICLE 6.

The Turkish Government undertakes to take as regards non-Moslem minorities, in so far as concerns their family law or personal status, measures permitting the settlement of these questions in accordance with the customs of those minorities.

These measures shall be elaborated by special commissions composed of representatives of the Turkish Government and of representatives of each of the minorities concerned, in equal number. In case of divergence, the Turkish Government and the Council of the League of Nations will appoint in agreement an umpire chosen from amongst European lawyers.

The Turkish Government undertakes to grant full protection to the churches, synagogues, cemeteries and other religious establishments of the above-mentioned minorities. Facilities and authorisation will be granted to the pious foundations, and to the religious and charitable institutions of the said minorities at present existing in Turkey; and the Turkish Government will not refuse, for the formation of new religious and charitable institutions, any of the necessary facilities which are guaranteed to other private institutions of that nature.

ARTICLE 7.

Turkish nationals, belonging to non-Moslem minorities, shall not be compelled to perform any act which constitutes a violation of their faith or religious observances, and shall not be placed under any disability by reason of their refusal to attend courts of law or to perform any legal business on their weekly day of rest.

This provision, however, shall not exempt such Turkish nationals from such obligations as shall be imposed upon all other Turkish nationals for the preservation of public order.

ARTICLE 8.

Turkey is ready to examine, together with the Council of the League of Nations, the possibility of allowing non-Moslem Turkish nationals the possibility of being exempted from military service in return for the payment of a tax. This exemption tax shall be moderate, and, in the event of Turkey granting the same exemption to all her nationals, shall be the same for Moslems as for non-Moslems.

ARTICLE 9.

Turkey agrees that, in so far as the provisions of the preceding articles of this section affect non-Moslem nationals of Turkey, these provisions constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of the majority of the Council of the League of Nations. The British Empire, France, Italy and Japan hereby agree not to withhold their assent to any modification in these articles which is in due form assented to by a majority of the Council of the League of Nations.

Turkey agrees that any member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction or danger of infraction of any of these obligations, and that the Council may thereupon take such action and give such directions as it may deem proper and effective in the circumstances.

Turkey further agrees that any difference of opinion as to questions of law or of fact arising out of these articles between the Turkish Government and any one of the other signatory Powers, or any other Power a member of the Council of the League of Nations, shall be held to be a dispute of an international character under article 14 of the Covenant of the League of Nations. The Turkish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under article 13 of the Covenant.

ARTICLE 10.

The rights allowed by the provisions of the present section to the non-Moslem minorities of Turkey shall be similarly allowed by Greece to the Moslem minority living throughout her territory.

Sub-Annex 2.

Draft Declaration relating to an Amnesty.

Draft presented by the Allied Delegations.	*Draft presented by the Turkish Delegation.*
No inhabitant of Turkey, and reciprocally no inhabitant of Greece, shall be disturbed or molested in Turkey, and reciprocally in Greece, under any pretext whatsoever, on account of military or political action taken by him, or on account of any assistance which he may have given to a foreign Power signatory of the present treaty, or to its nationals, between the 1st August, 1914, and 20th November, 1922.	No non-Moslem inhabitant of Turkey, and reciprocally no Moslem inhabitant of Greece, or of the territories (including the colonies, protectorates or possessions) of the Allied States, shall be disturbed or molested in Turkey, and reciprocally in Greece, or in the above-named territories, under any pretext whatsoever, on account of military or political action taken by him, or on account of any assistance which he may have given to the other side, or to its nationals, between the 1st August, 1914, and 20th November, 1922. Every sentence pronounced on this head shall be annulled, and all proceedings already instituted shall be arrested.
2. Similarly, no Moslem inhabitant of the territories (including the colonies, protectorates or possessions) of France, of Great Britain and of Italy, may be disturbed or molested in the above-named territories on account of any military or political assistance which he may have given to Turkey in those areas where the military operations betwen Turkey and the Allies took place.	2. Similarly no inhabitant of the territories detached from Turkey under the present treaty shall be disturbed or molested because of his political or military attitude, whether against or in favour of Turkey.
3. Similarly, no inhabitant of the territories detached from Turkey under the present treaty may be disturbed or molested, either on account of his political attitude against or in favour of Turkey, during the period between the 1st August, 1914, and 20th November, 1922, or because of the determination of his nationality under the present treaty.	3. Prisoners of war and civilian prisoners shall be reciprocally amnestied for all their actions which were punishable either by penal legislation or by disciplinary regulations.

Draft presented by the Allied Delegations.	*Draft presented by the Turkish Delegation.*
4. Full and complete amnesty shall be granted by the Turkish Government and by the Greek Government respectively for all crimes or offences committed during the same period in connection with the political events which have taken place during this period.	
5. All sentences pronounced for the above reasons shall be annulled, and all proceedings already instituted shall be arrested.	

The Greek delegation reserved to themselves the right to ask of the Commission on Territorial and Military questions that the Moslem inhabitants of Turkey and the non-Moslem inhabitants of Greece should be excluded from the benefit of the amnesty contemplated in paragraph 1 for acts relative to their "military conduct."

6. The Turkish Government, sharing the desire for general pacification which animates all the Powers, declares its intention not to contest the measures carried out by the commissions set up under the auspices of the Allies during the period between the 20th October, 1918, and 20th November, 1922, with the object of re-establishing families scattered by reason of the war and of replacing the rightful owners in possession of their property.

However, this intention does not exclude the possibility of the above-mentioned measures being revised in case of application from the interested parties. Claims respecting persons and property shall be examined by a commission composed of one delegate of the Red Crescent and one delegate of the Red Cross. In the event of a dispute, these delegates shall choose an umpire; if they cannot agree on that choice, the umpire shall be appointed by the president of the Permanent Court of International Justice of The Hague.

No. 23.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Twentieth Meeting, January* 10, 1923, *at* 11 A.M., *Lord Curzon in the Chair.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

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* These minutes do not represent the signed versions of speeches other than the British.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Mr. Ryan.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

M. Fromageot.
M. Laporte.
Lieut.-Col. Courtin.
M. Bargeton.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
M. Guariglia.
M. Galli.
M. Polverelli.

UNITED STATES OF AMERICA.

Mr. Dwight.
Mr. Amory.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Mr. Koshida.

GREECE.

General Mazarakis.
M. Dendramis.
M. Politis.

ROUMANIA.

M. Contzesco.
Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Antitch.

TURKEY.

Shukri Bey.
Lieut.-Col. Tevfik Bey.
Hussein Bey.
Roushen Eshref Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY. M. Indelli.	UNITED STATES OF AMERICA. Mr. Belin.
JAPAN. Mr. Hotta.	GREECE. M. Collas.
ROUMANIA. M. Contzarida.	KINGDOM OF THE SERBS, CROATS AND SLOVENES. M. Georgevitch.

TURKEY.
Rechid Safvet Bey.
Ahmed Djevad Bey.

The commission had before it the Report of the Sub-Commission on Exchange of Populations (see Annex).

M. MONTAGNA reminded the delegates that on the 1st December the commission had decided, after hearing Dr. Nansen's report on the results of his investigations in Turkey and Greece into the position of the minorities, to appoint a small committee for the purpose of examining the question and endeavouring to frame an agreement which would not figure in the treaty. The questions to be covered by this agreement were, indeed, quite unrelated to the treaty of peace, and called for immediate settlement. Dr. Nansen had followed up his statement before the commission by furnishing further explanations to the sub-commission, which the latter had found most useful.

At its first meeting the sub-commission had recognised that it had to deal with three categories of questions, namely, the handing back of civilian hostages, the exchange of prisoners of war and the exchange of populations (Greek and Turkish minorities).

There had been no difficulty in reaching prompt agreement on the first question. It was agreed that the Turkish civilian hostages who had been taken from Anatolia to Greece should be sent back within a short period ; it only remained to determine how long that period should be.

The Greek delegation had pointed out that it was not quite correct to say that civilian hostages were being detained by Greece alone, and had stated that some were held by Turkey also. It had been agreed without any difficulty that these latter hostages should be sent back simultaneously with the Turkish hostages who had been detained by Greece.

The sub-commission had therefore reached complete agreement on this point, subject to the settling of certain ways and means, such as the date on which the handing over was to take place, and the appointment of a commission of the International Red Cross for the purpose of ensuring that the operation should be carried out as quickly as possible and in a manner which gave satisfaction to both sides.

The sub-commission had then discussed the exchange of prisoners of war. On this question likewise it had proved possible to reach agreement very promptly.

There had been some points of difference between the Greek and Turkish delegations; but the principle had finally been laid down that Greece should send back forthwith the prisoners of war now in her hands, and that the Turkish Government should return to Greece an equal number of Greek prisoners of war. This exchange was to take place almost simultanously, since the ships which conveyed Turkish prisoners of war to Smyrna were to return to Greece with the same number of Greek prisoners of war on board. This exchange was likewise to be supervised by a commission of the International Red Cross. The Greek prisoners of war who remained behind after this exchange had been effected were to be sent back after the conclusion of peace.

The sub-commission had then proceeded to examine the third question, that of exchange of populations.

M. Montagna pointed out to the commission the great difficulties which the sub-commission had encountered in attempting to solve this question. The two parties concerned had argued that it was impossible to carry through so vast a movement of populations because the space available for receiving the exchanged inhabitants was insufficient. At this point a fresh idea had been put forward, namely, to exclude from the exchange the Greek population of Constantinople on the one hand and the Moslem population of Western Thrace on the other. It was agreed to adhere to the principle of a general exchange except as regards these two elements.

The sub-commission first had to decide the question whether the exchange of populations was to be voluntary or compulsory. Dr. Nansen himself had recommended the compulsory system; but in the course of the discussions at the sub-commission the Greek delegation asked that the exchange should be voluntary, a proposal which the Turkish delegation rejected. The sub-commission then accepted the obligatory principle on the ground that the main commission had apparently been inclined to favour it.

The Turkish delegation agreed to the principle of the Greek population of Constantinople being excluded from the exchange, but wished to attach to it such restrictions and conditions as would have resulted in nullifying the concession which they had just made. However, in view of the insistence of M. Montagna and the Allied delegations, the Turks had withdrawn their objections, and modified or suppressed the conditions which they had proposed.

It had finally been agreed that all Greeks, whether of Hellenic or Turkish nationality, should remain at Constantinople. Only one exception had been made by the Turks, in respect of Greeks who had migrated to Constantinople since the 30th October, 1918; but M. Montagna hoped that, if agreement could finally be reached on another condition concerning which it had hitherto proved impossible to come to terms, the Turkish delegation might consent to enlarge the concessions already made by them, taking as their guide those feelings of justice, fairness and conciliation with which, M. Montagna willingly recognised, they were animated. He hoped they would agree that even the Greeks who had been obliged to leave Constantinople in consequence of recent political events should be able to return to their homes; and he felt confident that permission to remain would likewise be granted to the Greeks resident within the prefecture of Constantinople, in localities which were inseparable from the economic and social life of the capital. He further hoped that immigrants would not be excluded from the benefits of these provisions.

M. Montagna pointed out that it had proved impossible to secure the complete adoption of the proposed agreement—which formed a single whole, all clauses of it being mutually interdependent—on account of a condition laid down by the Turkish delegation. While all the other questions had been settled by the sub-commission in the course of five or six meetings, about twenty meetings had been entirely devoted to the last question which it discussed. That question had arisen almost incidentally; all the parties had been able to argue their case; the British and French delegations had made various proposals with a view to finding a common ground of understanding, and the United States delegation also had expressed their opinion; but even so it had been impossible to solve it. All the sub-commission could do was to refer the difficulty to the main commission. That question was that of the Patriarchate.

The Turkish delegation had demanded that the Œcumenical Patriarchate should be removed from Constantinople. It was a matter for regret that the solution of a problem involving the tranquillity and peace of hundreds of thousands should remain in suspense on account of this question alone.

All the clauses of the agreement were connected with one another, as M. Montagna had just said; but this connection did not apply to the matters regulated by those clauses. The first two questions could apparently be handled independently of the third. For this reason M. Montagna asked that, in the event of the commission being unable to reach agreement on the Patriarchate question, the provisions respecting the handing back of civilian hostages and the exchange of prisoners of war might be regarded as definitely adopted in the form laid down by the sub-commission.

As the Sub-Commission on the Exchange of Populations had come to the end of the task assigned to it, M. Montagna referred back to the main commission the whole of the question which remained unsolved.

LORD CURZON spoke as follows:—

"I think that the commission owes a great debt of gratitude to M. Montagna and to the sub-commission for the long and in many respects successful pursuit of their labours. M. Montagna has just given us a very clear and concise résumé of the work of his sub-commission. He pointed out, firstly, that its work was on rather a different level from that of the other sub-commissions, since it was appointed not directly in connection with the treaty which we are about to make, but arose out of communications made to us by Dr. Nansen; and, secondly, that its work was of immediate importance, because it concerned large classes of people and communities whose position and fate were a matter of very general interest.

"M. Montagna alluded to the proposals made by his sub-commission and agreed to by the Turkish delegation with regard to several of these groups.

"Firstly, an immediate agreement was reached with regard to the return of civil prisoners and hostages. I believe there are about 4,000 Turks of this category in Greece.

"Secondly, as regards Greek and Turkish prisoners of war, I understand the arrangement is that there should be an exchange of equal numbers on both sides after the conclusion of the agreement, and that the rest of the prisoners shall be returned upon the conclusion of peace.

"In his concluding observations M. Montagna expressed the hope that, whatever happened to the other parts of this agreement, these two arrangements would be proceeded with at once. I think there is very great force in this proposal, since it is a severe hardship for these prisoners of war to remain in a foreign country, whether it be Greece or Turkey. I therefore hope that arrangements may be made without delay for their exchange.

"The third proposal of the sub-commission was one for the exchange on a much larger scale of Greek and Turkish populations. I agree with M. Montagna in thinking that it was a great misfortune that this had to be done by compulsory methods; but there seems to have been general agreement on the part of all the persons who have been consulted that this is not only the best but an inevitable method in the circumstances.

"The next group in M. Montagna's classification consisted of the Greeks in Constantinople—some 300,000 in number—and the Moslems in Western Thrace.

"I need not repeat the reasons for which many of us felt very strongly about the question of the Greek population in Constantinople. It is sufficient to say that most people thought that the expulsion of those Greeks would be a great economic loss to Constantinople on the one hand, and that, on the other hand, it would enormously aggravate the difficulty experienced by Greece in finding homes for all these refugees. I learn that in the proceedings of the sub-commission the Turkish delegation, as well as the representatives of the Allies, exhibited the utmost goodwill in discussing these points, when suddenly a question was raised which had not been mentioned when we appointed the sub-commission, a question which I never dreamt for a moment would appear upon the scene. The Turkish delegation raised the question of the Patriarchate of Constantinople, and endeavoured to make its abolition a condition of the retention of the Greeks in that city. This was the rock upon which M. Montagna's ship appeared likely to be wrecked, and he has accordingly handed the matter over to me to settle. I am going to do my best.

"The Greek Patriarchate at Constantinople has existed there for many hundred years. The conference will remember that Ismet Pasha some weeks ago reminded us of the great Mahommedan conqueror who first gave certain privileges to the Patriarch. Since that date these privileges have been confirmed and added to by successive Sultans of Turkey. Moreover, a practice has grown up during this period whereby, although this functionary is the head of the Greek Orthodox Church, he has always remained a functionary of the Turkish Government, from whom he receives his appointment. Thus in the last 500 years this figure has grown to be one of the most venerated spiritual figures in the whole world.

"Just look at what has been said in this room and in the press since this conference began. We had a very strong pronouncement from the chief American delegate, showing that far away in the United States great importance is attached to this question. Since I have been here I have been overwhelmed every day with letters and telegrams from all sorts of people all over the world, but none of them are more frequent or more full of profound feeling and conviction than those which I receive about the Patriarchate.

"I have hitherto been speaking about the spiritual and ecclesiastical functions of this prelate. I now want to make some admissions to the case of the Turkish delegation. The Patriarch of Constantinople has enjoyed, in virtue of the decrees to which I have referred, powers and functions of a civil and administrative character. I am told that the case made by the Turkish delegation at the sub-commission was that these powers have been used in recent years for political purposes; the Turks have even alleged that the Patriarchate has become the centre of political agitation. Now, if these contentions are true, they may be regarded as sufficient reason for modifying or curtailing, or even removing, the political privileges of the Patriarch. There would be a good case for doing that if it could be shown that these powers are abused or that they constitute any danger to the Turkish State; but that would not be any reason for destroying the spiritual and ecclesiastical privileges of the Patriarch. There seems to me to be no reason why the Patriarch should not continue to exercise his spiritual and ecclesiastical prerogatives without enjoying any sort of political or administrative authority at all. On the other hand, if these spiritual and ecclesiastical prerogatives were to be destroyed and the seat of the Patriarchate removed from Constantinople, a shock would be delivered to the conscience of the whole civilised world.

"Now, do not the reflections which I have ventured to put before the commission suggest what is really the best solution of this matter? I should like to state on behalf of my colleagues—all of whom, I know, agree with me—that the Allied Powers recognise that the institution of the Patriarchate should in future lose its political and administrative character, and that while continuing to remain at Constantinople it should become a purely religious institution. That is the suggestion which I venture to submit to the Turkish delegation and to the conference."

M. BARRÈRE entirely concurred in the statement made by M. Montagna and in the remarks with which Lord Curzon had completed it. He wished to call attention to the fact that, apart from the principles adopted in regard to the exchange of civilian hostages and prisoners of war, agreement now existed in the matter of exchange of populations on the following points:—

1. There was to be a compulsory exchange of populations between Turkey and Greece, with the exception of the Moslems of Western Thrace and the Greeks of Constantinople.

2. The first contingent of persons exchanged was to consist of the men interned in Anatolia at the time of the Greek exodus from Asia Minor, and separated from their families, who were to be sent back to Greece. This operation was to take place in the near future.
3. The exchange of Greek and Moslem populations was not to be carried out until May 1923 for humanitarian reasons.
4. Special commissions of the International Red Cross were to supervise the execution of the exchange on both sides.
5. Special commissions were to be entrusted with the task of estimating the value of property abandoned on both sides with a view to compensation, in accordance with regulations which were to be drawn up. If the value of this property in one of the two countries exceeded that of the property in the other country, the surplus was to be paid over by the State concerned to these mixed commissions. The latter would likewise be required to effect the distribution among the lawful owners of the property and of all sums assigned to them.
6. All Greeks resident in Constantinople without distinction, whether of Turkish or Hellenic nationality, were to be allowed to remain there, with the exception of those who had migrated to Constantinople since the 30th October, 1918.
7. For the purposes of the preceding paragraph the area of Constantinople was to be that of the prefecture of the city as laid down in the most recent law on the subject.

One most important question still required to be settled—that of the Patriarchate.

M. Barrère cherished the hope that it would prove possible to settle this question on the basis proposed by Lord Curzon. If this were done, the commission would be able to record complete agreement on the matters referred to the sub-commission, and would surely recognise that it was impossible to attain any more satisfactory result.

M. DIAMANDY reminded the commission that the Roumanian Church, being independent and autocephalous, was connected with the Œcumenical Patriarchate by spiritual bonds only.

He ventured to point out to the Turkish delegation in a friendly spirit that the religious conscience of the Roumanian people would be wounded if summary methods were employed against the Patriarchate, which had been established at Constantinople for centuries.

Ismet Pasha had stated at a plenary session, in a speech to which his hearers had listened with much interest and close attention, that the national and religious tolerance of the Turkish people had asserted itself throughout the ages and was traditional in Turkey. The modern conception of States likewise postulated the same broad spirit.

The Roumanian delegation thought that on the eve of friendly relations being re-established with the Christian States represented at the conference, it would be an act of political wisdom on the part of Turkey—a great Islamic Power—not to offend religious feeling by injuring ancient institutions. Such affronts to man's religious conscience, even when they could be traced back to the remote past, frequently left among peoples an impression which it was most difficult to efface.

M. RAKITCH said that he did not wish to restate the economic and legal arguments bearing on this question, but would confine himself to calling attention to the moral consequences and the painful feelings which would be created throughout the world if the Turkish delegation persisted in rejecting the proposal laid before them even after taking into account the fresh concessions now made to them.

He wished in a sense to enlarge the idea of Auguste Comte, that "mankind consists more of the dead than of the living," and to apply it to institutions which were venerable through their very age and the services rendered by them in the past, and had largely contributed to the formation of humanity in its present state. This was the case with the Œcumenical Patriarchate of Constantinople, which had always played a most important part in the moral development of a certain portion of the human race. For many centuries successive generations had appealed to the Patriarchate for succour and assistance, for consolation in times of trial, for guidance in regard to principles of conduct and of high Christian morality in daily life. Its disappearance would create so great a moral void that a part of civilisation would seem to disappear with it; the conscience of people of all religions would be stirred, and no one could fail to make one observation, namely, that among all States of the world the Turkish State was the only one which denied a proper place to a venerable Christian institution, dating back many centuries, established at Constantinople long before the Caliphate itself, with an uninterrupted record of activity in the cause of civilisation and moral beneficence, even in the remote times of intolerance and religious persecution. This observation could not redound to the credit of the Turkish State, which claimed and desired to rank among modern States, and the moral consequences of such a situation would not be slow in making themselves felt.

This was the point to which M. Rakitch, who entirely concurred in Lord Curzon's proposal, wished to invite the special attention of the Turkish delegation.

M. VENISELOS said that he would examine briefly the arguments employed by the Turkish delegation in favour of the abolition of the Patriarchate or its removal from Constantinople. Riza Nour Bey had insisted at the sub-commission that the Patriarchate would always exercise political activity, and that it had made common cause with the enemies of the former Ottoman Empire during the last war. M. Veniselos pointed out that the Patriarchate had existed side by side with the Ottoman Empire for five centuries, and this was the first occasion on which the Turkish Government had found cause to complain of its action. In no question, save that mentioned by the Turkish delegation, had the Patriarchate failed to observe the loyalty which it owed to the Ottoman Empire. M. Veniselos wished to give a definite instance in support of his argument. About

100 years ago the Patriarch Gregory V was hanged, after the Greek insurrection of 1821, but that execution did not take place because the Ottoman Government held the Patriarch personally responsible for the insurrection. Quite the reverse was the case; the head of the Greek Orthodox Church was so earnest in the loyalty due from him to the Government that he even went so far as to pronounce excommunication against such Ottoman subjects as might take part in the rising. He was hanged on the strength of the idea, which was current at the time, that he represented symbolically the total mass of the Greek nation, for whose actions he was responsible in his capacity of "mile bachi," or head of the Greek nation, and was recognised as such by the Ottoman Government.

No proof of disloyalty on the part of the Patriarch could be derived from the events which occurred during the last war—or, to be more precise, since the armistice of Mudros, for previously the Ottoman Government had not had any ground for reproach against him. One must bear in mind the great turmoil in men's consciences to which a cataclysm such as the war had given rise, and it would be both unjust and dangerous to judge the future on the basis of the past. With a view to answering the objections of the Turkish delegation, M. Veniselos wished to quote the following written statement which had been read to the sub-commission by Riza Nour Bey on the 16th December:—

> "The Government of the Grand National Assembly grants to the non-Moslem minorities who reside in Turkey the same rights as are conferred upon minorities in the States which have been enlarged or newly created in consequence of the great war. The privileges which were accorded to non-Moslem communities in the former Ottoman Empire are *ipso facto* replaced by this new régime.
>
> "As the former privileges of the non-Moslem communities arise out of the political conditions prevalent in the former Ottoman Empire, which was a theocratic monarchy, it follows that, since the separation of the Caliphate from the State, the abolition of the monarchy and the establishment of an entirely democratic régime, the religious chiefs of those communities can no longer enjoy any right or privilege which is not purely spiritual in character.
>
> "The principle underlying the organic statutes of these various communities was to attach their spiritual head to the State as an official representative of the community and an intermediary for the execution of governmental decisions relating to the minorities.
>
> "The relations of the Government with the educational, philanthropic and benevolent institutions are henceforward to be conducted (as in all other temporal matters) directly with these institutions themselves; and so the clergy and its hierarchical chief will only have to deal with purely religious affairs, and the Government will no longer have occasion to intervene either in these affairs or in any decisions which may be taken by the clergy in question.
>
> "Religious freedom will give the faithful of various creeds in Turkey free scope for the fulfilment of their religious aspirations

like in other countries such as England, France, the United States, &c. The new régime will thus give a fresh impulse to religion by obliging the clergy to confine their activities to the purely religious sphere.

"The Patriarchate, which has hitherto been a political organisation, ought to be removed outside Turkey; for its past activities will prevent it adapting itself to the new situation which, by eliminating the political privileges of the Patriarchate and of the organisations dependent on it, will remove all grounds for its continued existence.

"These considerations show that the necessity of abolishing the temporal privileges of the clergy and transferring the Œcumenical Patriarchate outside the country is just as inevitable for Turkey as it is salutary for the community concerned."

M. Veniselos said that this statement justified him in asking that the Turkish Government should on this basis accept the maintenance of the Patriarchate—but in the form proposed by Lord Curzon, *i.e.*, a Patriarchate which would in future fulfil spiritual and ecclesiastical functions only. There was no doubt that the position of the Patriarch could be modified in this way on the basis of canon law. But it was necessary, in order to prevent any misunderstanding, to state that marriage was regarded as a sacrament by the Orthodox Church, and, consequently, marriage and its dissolution must be considered as coming within the province of the ecclesiastical authorities alone. Once this question was placed aside, all other attributions could be taken away from the Patriarchate, the princes and bishops of the Orthodox Church. The Turkish Government, if it did this, would only be withdrawing from the Patriarchate the attributions formerly conferred upon it by the Government; for it was the Turkish Government itself which had in bygone days considered it desirable to bestow the rights and privileges of which it now complained; it was the Turkish Government which had wished to regard the Patriarch as the political head of the Greek nation, so as to be able to exercise its influence over that nation through the agency of the Patriarch. Circumstances and ideas had now changed. Turkey wished to abolish all trace of theocracy. But even if this had not been the case the Greek Government would have agreed to the Patriarchate being divested of all its attributions except those which were ecclesiastical and spiritual. It lay with the Turkish Government alone to cease regarding the Patriarch as the head of the Greek nation, and to abolish all provisions in the law which conferred political powers on the Patriarch, *e.g.*, those provisions in the law of the vilayets which made the Patriarch a member *ex officio* of certain councils, or those in the electoral law which conferred on him the right to supervise the drawing up of electoral lists.

Further, it was possible on the basis of canon law to deny the Patriarch and his subordinates the right to intervene in questions respecting personal status and family law. Only one exception must be maintained, namely, the reservation to the ecclesiastical authorities alone of all questions concerning marriage.

If the Turkish Government insisted on its original proposal despite these large concessions, not only would the conscience of all mankind be deeply wounded, but also the adoption of such a proposal would be impossible from the canonical point of view. The Patriarch was in point of fact the Archbishop of Constantinople—of that new Rome, which, owing to its prosperity in the 4th and 5th centuries, had been raised to the dignity of an Œcumenical Patriarchate by a decision of all the Christian Churches, including that of Rome. No one in the world could separate these two attributions. The matter was so serious that if the Patriarch were compelled to leave Constantinople, the Greek orthodox community would lose the spiritual head of its Church ; if perchance some other person were to assume that title he would be schismatic and excommunicated *ipso facto*. It would therefore be futile to endeavour to give guarantees to the non-Moslem minorities if they were simultaneously deprived of their ancient ecclesiastical organisation.

In conclusion, M. Veniselos reminded the commission that the demand of the Turkish delegation went beyond the terms of the Angora Pact, which recognised that the non-Moslem minorities were entitled to the same guarantees as those granted to minorities by the European treaties. The treaties signed by Roumania and Greece included provisions for safeguarding the religious autonomy of the protected minorities. What was more, the Turkish Government, in its reply to the note from the Allied Governments of the 23rd September, 1922, undertook once more to give these guarantees to the non-Moslem minorities. It was on this condition, among others, that the Greek Government had agreed to give satisfaction to Turkey by consenting to evacuate Eastern Thrace.

The Turkish delegation must be aware that the whole Orthodox Church was united in demanding the maintenance of its head at Constantinople. If Russia had not been prevented from taking part in the present conference owing to the exceptional régime now existing in that country, the delegations would have heard through her the entreaty of over 100,000,000 of the faithful, begging that there should be no interference with the Primate of the Orthodox Church. There were thus more than 140,000,000 men who requested the Turkish delegation not to injure the institution of the Patriarchate. The orthodox nations were not alone in making this demand. The inviting Powers had joined in their appeal, and the commission had heard the formal declaration of the Government of the United States of America, which despite its being so far away had insisted most earnestly that the Patriarchate ought to be maintained at Constantinople. It was inconceivable that the Turkish delegation could remain indifferent to the appeal of that great democracy, whose conscience would certainly be wounded by an adverse decision.

M. Veniselos hoped that in view of Lord Curzon's proposal, in which he entirely concurred, the Turkish Government would not insist on removing the Patriarchate from Constantinople once it had been divested of its political prerogatives. Its maintenance in that city was, moreover, of advantage to Turkey herself, for it was not a matter of no concern to Constantinople that it should continue to be the residence of the head of the Orthodox Church. Finally, in the event of Lord Curzon's proposal being accepted by the Turkish

Government, the Greek delegation were ready to take steps with a view to the retirement of the Patriarch now in power.

ISMET PASHA said that he had studied with the closest attention the report of the sub-commission which had been required to examine the questions of the exchange of prisoners and populations, and had listened to M. Montagna's remarks on the subject.

He was obliged to observe that certain questions, which had not been settled so far as the Turkish delegation knew, were represented in the report as having been definitely solved, and also that some errors of considerable importance had crept in as regards certain other questions.

The Turkish delegation had never said that the Turkish civilians detained in Greece numbered 4,000; on the contrary, they had stated that there were no less than 10,000. As a matter of fact, the information received by them up to the present time showed that the number of Turkish civilian prisoners in Greece, including persons removed from Anatolia and Eastern Thrace, amounted to 9,595 men, 251 women and 11 children, or 9,857 persons in all. The Turkish delegation had already communicated a partial list of these detained persons, and were continuing to add to it.

There were now no Hellenic hostages in Turkey, and moreover the Greek delegation had told the sub-commission that they had no information on this matter, concerning which they had not been able to make any statement at all.

When all the civilian prisoners named in the lists communicated by the Turkish delegation and all Turkish prisoners of war had been handed back to Turkey, the liberation of a number of Greek prisoners equal to that of the released Turkish prisoners of war was to be effected. It would necessarily take some time to verify all the figures in connection with this matter, and consequently it would not be possible for the Greek prisoners to leave by the ships which brought the Turkish prisoners back, for the former could not be sent home until after the numbers and complete liberation of all the latter, both civilian and military, had been verified.

However, this restoration of prisoners should be effected before the conclusion of peace, and as far as possible without loss of time.

Such Greek prisoners of war as remained in Turkey after the surrender of a number equal to that of the released Turkish prisoners were to be handed back after the conclusion of peace. The Turkish delegation had asked for the liberation of the Turkish civilian prisoners within one week, and of the prisoners of war within two weeks.

The Turkish delegation had repeatedly requested the Allied delegations to submit the decision taken regarding prisoners to the commission, independently of the question of exchange of populations. The restoration of prisoners, being a most urgent and purely humanitarian matter, ought not to be mixed up with the more complicated problem of exchange of populations.

The consequence of this request being declined had been to prolong the suffering and misery of the Turkish non-combatants who had been carried off as hostages, and those of the unfortunate

Turkish prisoners whose complaints were constantly reaching the Turkish delegation.

Ismet Pasha was obliged to state that it would be inequitable to decide that the solution of this question should be linked up with that of an intricate political problem.

It would be most unjust towards Turkey if Greece were allowed to prolong the sufferings of the Turkish non-combatants whom she had carried off as hostages.

The Turkish delegation had asked for a plebiscite with a view to deciding the fate of Western Thrace; it was therefore natural that they should also ask for the exclusion of the population in that country from the exchange.

The population of Constantinople had also not been included in the proposed exchange, because the Allied delegations had urged that the elements which constituted a factor of commercial and economic importance should not be removed all of a sudden from a city such as Constantinople, which was a great economic centre; and also because the Allies said that residents in towns could not be exchanged for residents in country districts. But the exchange ought not to be effected only between the inhabitants of villages, for there were many townspeople among the Turks who would have to leave Greece. Then again, the statement that the Greeks of Constantinople constituted an important economic factor was not a conclusive argument in favour of their being excluded from the compulsory exchange; everyone knew that they formed a class of small traders (grocers, &c.), and that it would not be difficult to replace them.

Despite all these reasonable contentions, and out of a spirit of conciliation, the Turkish delegation had agreed to accept the request of the other delegations that the Greeks of Constantinople should not in principle be subjected to the exchange.

They had, however, been obliged to insist on the inclusion in the exchange of certain categories of persons among the Greeks, and they hoped that the Allied delegations would be so good as to recognise the justice and soundness of their claim in this respect.

The exceptions which they demanded were as follows:—

1. Greeks who had come to Constantinople since the 30th October, 1918.
2. Greeks living outside the limits of the prefecture of the city of Constantinople, as laid down in 1912.
3. Hellenic individuals or associations which had taken part in anti-Turkish political movements.

These three categories ought to be included in the exchange.

As regards the question of the Patriarchate, Ismet Pasha took note before the commission of the solemn declarations and assurances which had just been delivered by the Allied and Greek delegations, whereby the Patriarchate was no longer to take any part whatever in affairs of a political or administrative character, and was to confine itself within the limits of purely religious matters.

In reply to certain supplementary remarks of M. Veniselos, Ismet Pasha observed that the rights of the minorities were settled by the clauses relative thereto in the section of the treaty which had already been examined.

The removal of the Patriarchate from Constantinople had been proposed by the Turks at the time when the exemption of the Greeks in that city from the exchange of populations was being contemplated.

With a view to giving a supreme proof of the conciliatory disposition of the delegation over which he presided, Ismet Pasha withdrew this proposal under the conditions just stated by him, and in reliance on the assurances of which he had already taken note.

LORD CURZON said that he would not enter into the question of the immediate exchange of hostages and prisoners of war beyond expressing the hope that the exchange would be effected at once, whatever the numbers. But as regards the declaration with which Ismet Pasha had ended his remarks, Lord Curzon was gratified to note the spirit in which his Excellency received the suggestion made by him. He was sure that the commission would have received with great satisfaction the intimation contained in Ismet Pasha's last sentence, that the Turkish delegation renounced the project of requiring the departure of the Patriarch from Constantinople. He was convinced that this announcement had not only been received with great satisfaction in the conference room, but that it would produce a very considerable impression throughout the world and would facilitate the task upon which the conference was engaged.

M. VENISELOS felt sure that, after the settlement of so important a question as that of the Patriarchate, the sub-commission would experience no difficulty in bringing the whole of its labours to a conclusion.

He pointed out that the question of interned civilians concerned persons who had been sentenced for common law offences during the period of military occupation and persons who were undergoing judicial enquiry in respect of similar offences, but in whose cases proceedings had been arrested at the time when the armistice was signed. He urged that agreement should be reached as soon as possible in regard to the exchange of prisoners of war and of the able-bodied men arrested in Asia Minor. As a result of the action of the Turkish Government in retaining the portion of the Greek population which was capable of military service, it was remnants of families rather than families who had come to take refuge in Greece. He quite understood that the exchange could not take place immediately, but he asked that a date might be fixed when the exchange should be effected. This exchange would be followed by that of civilian hostages, which was of much less importance. M. Veniselos asked that the sub-commission might be summoned to meet as soon as possible for the purpose of settling the questions which were still in suspense.

M. MONTAGNA remarked that there was no occasion to discuss the figure of 9,000 Turkish civilians detained in Greece, which Ismet Pasha had given, since the exchange was to be carried out (as the report of the sub-commission indicated) in accordance with the lists presented by the two sides. This suggestion had been made by M. Veniselos and adopted by the sub-commission.

Ever since the sub-commission began its work it had been agreed that all the clauses formed a single whole, and so it was impossible, for instance, to send back the civilian hostages if provision had not previously been made for the return of the male population. He hoped that the sub-commission would have no difficulty in finding a definite solution for the points which were still unsettled.

It was decided that the sub-commission should meet as soon as possible for the purpose of settling the matters on which agreement had not yet been reached and framing a draft convention.

(*The commission rose at* 12·35 P.M.)

ANNEX.

Report addressed to Lord Curzon, President of the First Commission, by M. Montagna, President of the Sub-Commission on the Exchange of Populations.

Mr. President, *Lausanne, January* 8, 1923.

AT the plenary meeting of the 1st December, 1922, of the First Commission, presided over by your Excellency, after Dr. Nansen's report had been read and a short discussion had taken place on the situation of the Greek populations in Anatolia, the commission decided to create a special committee whose task would be to study all questions relative to the exchange of populations (Greek and Turkish minorities), with a view to the conclusion of a separate agreement between the two interested parties.

This committee was immediately formed, comprising a delegate and experts of each of the inviting Powers, of Turkey and of Greece. I had the honour of being appointed president.

The next day the committee held its first meeting, which was almost entirely devoted to a clear and full exposition by Dr. Nansen of the results of his investigations in Anatolia and in Greece, and of his suggestions for the speediest possible solution of the different questions involved, the necessity of which arose from the grave and exceptional circumstances of the case.

The committee proceeded forthwith to discuss these questions, which were broadly classified under the following headings:—

1. Return of civilian hostages.
2. Exchange of prisoners of war.
3. Exchange of populations (Greek and Turkish minorities).

It should be noted that from the first it was agreed that—

(*a*.) The committee should confine itself in the first instance to reaching an understanding in principle on the various points under discussion.

(*b.*) After having established this agreement in principle, the committee should proceed to settle the methods of execution (rules on points of detail).

(*c.*) All decisions reached should constitute a single indivisible agreement, the various parts of which should depend on each other for their validity and for their execution.

I am glad to be able to say that, notwithstanding certain points of disagreement between the Turkish and Greek delegates, it was possible to establish a complete understanding on the first two questions. Without going into the details of the discussions, I will proceed at once to explain briefly in what this agreement consists :—

1. *Return of Civilian Hostages.*

According to the statements of the Turkish delegation, about 4,000 persons (Turkish subjects, Moslems) were concerned, whom the Greek troops were said to have carried off with them from Anatolia, and now interned in Greece. On the advice of Dr. Nansen and the insistence of the Allied delegates, the Greek delegation agreed that these Turkish civilian hostages should first of all be liberated and handed over to the Turkish Government at Smyrna. For their part the Turkish delegation, in deference to the request of the Greek delegation, agreed to return to Greece such Greek subjects as had been retained in Turkey as civilian prisoners or hostages as a result of the latest political and military events of the Græco-Turkish conflict.

These hostages were to be restored—

(*a.*) At a very early date, to be determined on;

(*b.*) On the basis of lists of names which the Turkish and Greek delegations had already presented to the committee, or which they reserved the right to present to it;

(*c.*) With the assistance of commissions of the International Red Cross.

2. *Exchange of Prisoners of War.*

This question was also at first the subject of some disagreement. The Turkish delegation put forward a claim, based on the results of the Anatolian war, that Greece should give up all Turkish prisoners held by her, without any exchange. Turkey reserved to herself the right to take into consideration the goodwill shown by Greece in this matter in order to decide whether or no to return a certain number of Greek prisoners.

As the result of the insistence of the Allied delegates, the Turkish delegation completely abandoned this claim, and it was agreed by mutual consent that—

(*a.*) Greece should return, at a very early date to be determined on, all the Turkish prisoners of war held by her, undertaking herself, and at her own expense, their transport in one single convoy to Smyrna, where they would be handed over to the Turkish authorities;

(*b.*) An equal number of Greek prisoners should be returned by Turkey, who would undertake to hold them in readiness to be embarked on the same vessels as should arrive at Smyrna with the Turkish prisoners. This condition was suggested and adopted for very obvious reasons of general economy, but was, above all, due to the conciliatory spirit shown by both parties concerned;

(*c.*) The remainder of the more numerous Greek prisoners in Turkish hands should be returned by Turkey to Greece after the conclusion of peace;

(*d.*) All the arrangements connected with the exchange of prisoners of war should be carried out with the assistance of commissions of the International Red Cross.

It has also been possible to reach an understanding in principle on the last point of our programme, although this has necessitated numerous debates and the keenest and most closely disputed negotiations.

3. *Exchange of Populations* (*Turkish and Greek Minorities*).

A question of primary importance had to be solved: whether this exchange should be voluntary or compulsory. The question was debated in the first instance by the first commission itself. Although the compulsory solution was regarded by everyone with repugnance, Dr. Nansen himself felt obliged to recommend it as the only one likely to prove useful and effective in the circumstances. In the commission itself all the delegations appeared to admit, albeit reluctantly, this necessity.

Nevertheless in the course of the discussions in the special committee the question was raised afresh by a written declaration of the Greek delegation, proposing that the exchange should be voluntary. The Turkish delegation definitely opposed this proposal, so that the decision previously reached was adhered to. In other words, unless it is thought desirable to re-open the question, the exchange of populations will remain compulsory.

It should, however, be noted that in the event of the voluntary principle of exchange being ultimately adopted, the agreement reached on this subject would lose its *raison d'être*, and it would be necessary to devise a different one.

I will now proceed to explain, comprehensively, the substance of the arrangements arrived at; but I must add at once that it has not been possible to make those arrangements complete, owing to an insurmountable divergence of view in regard to one of the conditions laid down by the Turkish delegation.

The Turkish delegation demanded that the exchange of populations should include all the Moslem minorities in Greece with the exception of those established in Western Thrace, and all the Greek minorities established in Turkey including the Greeks of Constantinople.

The Greek delegation demanded, on their side, that the exemption claimed by the Turkish delegation in favour of the Moslems of Western Thrace should be extended to the Greeks of Constantinople.

Discussions in which both sides displayed equal tenacity continued during several meetings of the committee.

The Turkish delegation, basing their claim on statistics, maintained that it was impossible to retain a Greek population in Constantinople since it was necessary to establish in its place a part of the Moslem population coming from Greece.

The Greek delegation advanced counter-statistics in support of their claim that Greece, already invaded by rather more than 1,000,000 refugees from Anatolia, was not in a position to receive in addition the Greeks from Constantinople.

Taking the statistics of the Turkish delegation as a basis, we were able to prove mathematically that it was not necessary for Turkey to remove the Greeks of Constantinople in order to establish the Moslems of Greece on her territory. I succeeded in convincing the Turkish delegation that there was ample room in Eastern Thrace and in Anatolia, notwithstanding the devastations of the war, for the reception of all the Moslems who remain in Greece, excepting those of Western Thrace.

Finally the Turkish delegation ended by yielding to all the reasons of a moral, economic and social character in favour of the adoption of our point of view. They agreed in principle, that the Greeks should remain in Constantinople, but in limited numbers. The Turkish delegation laid down the following exceptions and conditions :—

(*a.*) Removal from Constantinople of all Greeks who are not Turkish subjects.

(*b.*) Removal from Constantinople of all Greeks who are Turkish subjects but not natives of Constantinople.

(*c.*) Removal from Constantinople of all Greek societies or associations which had adopted an attitude hostile to Turkey during the last three years.

(*d.*) The exemption in favour of the Greeks of Constantinople to apply only to the Greek inhabitants of Pera, Stamboul and Scutari.

(*e.*) Removal from Constantinople of the Œcumenical Patriarchate with all its organisations and constituent bodies.

The Turkish delegation let themselves be persuaded to abandon some of these clauses and to modify others, but they remained immovable in regard to the last, namely, the removal of the Œcumenical Patriarchate.

The Greek delegation for their part, on grounds which I shall indicate below, strongly opposed the adoption of this last condition; on the other hand they agreed to the condition mentioned in paragraph (*c*) above, regarding the removal from Constantinople of certain societies and associations.

To sum up, agreement in regard to the actual exchange of

Turkish and Greek populations was, in fact, reached on the following points, which cover practically the whole subject:—

1. There shall take place a compulsory exchange of populations between Turkey and Greece, except for the Moslems of Western Thrace and the Greeks of Constantinople.
2. The first step in the exchange shall be the sending back from Anatolia to Greece of the men who were interned at the time of the Greek exodus from Asia Minor and separated from their families. This return is to take place at a very early date to be determined.
3. The exchange of the Greek and Moslem populations, for humanitarian and hygienic reasons, shall not take place until the month of May 1923.
4. Special commissions of the International Red Cross are to supervise the execution of the exchange arrangements on both sides.
5. In accordance with rules to be laid down, special commissions are to be entrusted with the task of valuing the property left behind on either side with a view to compensation. If the value of the property in one of the two countries exceeds that in the other, the surplus is to be paid by the State concerned to the said mixed commissions. These commissions shall also be entrusted with the distribution of property and of all sums of money paid over to them among the persons entitled thereto.
6. All Greeks without distinction, whether Turkish or Hellenic subjects, living in Constantinople shall be allowed to remain there, except those who may have settled there after the 30th October, 1918.
7. The limits of Constantinople, for the purposes of the preceding paragraph, will be fixed as those of the prefecture of the town according to the latest law.

I must admit that from the beginning of the negotiations the Turkish delegate has displayed goodwill and a spirit of conciliation by agreeing to all these conditions. I even venture to believe that, if the agreement in question could be made complete by the elimination of one single point in dispute, the Turkish delegation would not object to extending the scope of some of the clauses mentioned above; they would perhaps consent—

(*a.*) To extend the limits of the Constantinople zone in which the residence of Greeks should be permitted so as to include other places in the neighbourhood outside the jurisdiction of the prefecture (*e.g.*, Pendik).

(*b.*) To allow Greek immigrants who have arrived since the 30th October, 1918, also to remain in Constantinople.

(c.) To authorising the Greek inhabitants of Constantinople, who under the pressure of recent political events have left and are continuing to leave the city, to return to their homes.

In this way the agreement would be completely satisfactory, and our only remaining task would be to proceed to settling the methods for carrying it out.

As has been stated above, the only condition on which the Turkish delegation have found it impossible to yield with a view to accepting the conclusion of the agreement, especially as regards the exemption of the Greeks of Constantinople from the compulsory exchange, is that regarding the removal of the Œcumenical Patriarchate.

This question has formed the subject of very lengthy discussions.

The British delegation from the first opposed such a measure, maintaining that this ancient Ottoman institution was a symbol of the Orthodox religion, and that the removal of the Œcumenical Patriarchate from Constantinople would offend the religious sentiments not only of the Orthodox, but of the whole Christian world, and would be likely to produce in England and elsewhere a most painful impression.

The French delegation adopted the same point of view, adding that as the Patriarch was also Archbishop of Constantinople, it was not possible to leave the Orthodox community without its spiritual chief.

At the meeting on the 16th December, the Turkish delegation presented to the sub-commission a written declaration, in which they maintained that the Government of the Grand National Assembly intended to grant to minorities resident in Turkey rights identical with those which had been granted to the minorities in the States enlarged or newly constituted as a result of the great war. They added that their Government, by separating the Caliphate and the State and by establishing a democratic régime, had suppressed the privileges which had been granted in the Ottoman Empire to the non-Moslem communities. The relations between the charitable, educational and philanthropic institutions of the minorities and the State must henceforward be carried on direct; the clergy and its hierarchal chief must not in future concern itself with any but purely spiritual matters. The Patriarchate, which had always been a political organ, must be transferred to some place outside the frontiers of Turkey, seeing that as a result of the abolition of the political privileges which it formerly enjoyed and of the organic institutions which depended on it, it had lost all reason to exist.

After the above-mentioned declaration had been read the delegation of the United States of America expressed, in the name of their Government, the desire shown by a great part of American public opinion in favour of the retention of the Œcumenical Patriarchate at Constantinople.

The Greek delegation declared that they could not become a party to any agreement the object of which was the removal of the Œcumenical Patriarchate from Constantinople, since the signature of such an agreement by Greece would be valueless, the institution in question being not Greek but Turkish.

Notwithstanding my intervention in the discussion, and the counsels of moderation which I gave to the Turkish and Greek delegations, it proved impossible to reach any agreement on this question.

The French delegation, with the object of finding some conciliatory formula, then suggested the maintenance at Constantinople of a Patriarch who should have no closer administrative or political connection with the autocephalous Church of Constantinople than with the Orthodox Churches of Greece, Roumania, Jugoslavia, &c. The Patriarch would be confined to his attributes as religious primate of Orthodox Christianity. He might be chosen from a list of candidates approved by the Turkish Government, which would be recognised moreover as possessing the power to satisfy itself that he did not exceed his religious functions.

At the meeting on the 26th December last, the Greek delegation presented to the sub-commission a written declaration in which they refuted the allegations made by the Turkish delegation at the preceding meeting.

The Greek delegation maintained that the recent change of régime in Turkey could not affect the rights which had been recognised from the earliest times as belonging to the Christian minorities in Turkey, nor justify the removal of the Œcumenical Patriarchate from Constantinople.

The recognition of the rights granted to the Greeks arose solely from the difference of religion which existed between the conquerors and the conquered nation. Family law being governed exclusively in the Turkish State by the Sheriat, that is to say, by religious law, it was impossible to apply Islamic law to Christians; for these reasons the Sultans had recognised the right of the Christians to preserve the use of their ancient canonical law, which could only be applied to them by their legitimate spiritual authority, that is to say, by the Œcumenical Patriarchate.

The rights of the Christians in Turkey being of an essentially religious character, or being directly connected with religion, they appertained *jure canonico et facto* to the Œcumenical Patriarch, who alone was entitled to apply them.

The Patriarchate, whose historic seat was Constantinople, had been set up by the decrees of the 2nd and 4th Œcumenical Councils, which formed the basis of the canonical law of all churches; it was immovable, and only a new Council could give a decision on its maintenance or removal.

The decisions of a political conference in such a matter could have no legal effect. For the reasons thus set forth, the Greek delegation considered themselves absolutely bound to refuse to take part in a discussion concerning the removal from Constantinople of the Œcumenical Patriarchate.

The French delegation, in their constant desire for conciliation, then advised the Turkish and Greek delegations to consider an agreement the basis of which should be the retention at Constantinople of the Œcumenical Patriarchate, which possessed the primacy over all the Orthodox Churches, with the abolition of its temporal powers. The Turkish Government could control the nomination of the Patriarch and limit his activities. The French delegation added that Turkey, as a democratic State, ought to practice religious toleration.

For my part I strongly urged both delegations kindly to consider the bases of an agreement on this point; for since all the questions which had been submitted to the sub-commission were closely bound up together, failure to agree on a single one of them would result in wrecking the whole work of the sub-commission, and in prolonging the suffering of the hostages, the prisoners of war and the populations.

At the meeting on the 3rd instant, the British delegation read the following declaration:—

> "Having informed Lord Curzon of what passed at our last meeting, I have received his Lordship's formal instructions to declare once more that he could not agree to any proposal aiming at the removal of the Œcumenical Patriarchate from Constantinople. Lord Curzon considers that whatever settlement may be reached in the matter of the civil and political rights of the Greek community in Turkey—a question which has formed the subject of debate at another sub-commission—it would be unjust to prejudice in any way the rights and the purely spiritual jurisdiction which belong to the Œcumenical Patriarch as primate of the Orthodox Churches and as head of the Orthodox Church in Turkey."

The Greek delegation in their turn presented to the sub-commission a written declaration, paying tribute to the conciliatory spirit in which the suggestion of the French delegation had been put forward at the previous meeting. They had studied that suggestion with great care, and in their desire for conciliation made the following proposals:—

> "The institution of the Œcumenical Patriarchate is composed of the following elements:—
>
> "(*a.*) The Œcumenical Patriarch is the primate of all the Christian Orthodox Churches; in this capacity he deals with the heads of the autocephalous Orthodox Churches on all questions relating to faith, Christian morals and ecclesiastical law. In these matters the views and authority of the Œcumenical Patriarch are of predominant importance.
>
> "(*b.*) The Œcumenical Patriarch is the chief of all the metropolitans, archbishops and bishops belonging to the system of the great Church which has its see in the city of Constantinople, and is the first of all the autocephalous Orthodox Churches. The Patriarch, surrounded by the permanent Holy Synod, governs the Church from the Œcumenical Throne; he nominates, consecrates, judges and deposes archbishops and bishops within the sphere of his Church, and abbots of

patriarchal convents and monasteries. He also settles all questions of an ecclesiastical order which exceed the competence of the archbishops residing in the dioceses which depend on the Œcumenical Throne.

"(*c.*) The Œcumenical Patriarch is Archbishop of Constantinople and exercises his pastoral rights and duties over the whole area of his diocese in the same way as any other archbishop or bishop.

"These three elements are intangible and united in the single person of the Patriarch, and are derived from the Holy Œcumenical Councils.

"The creation of an autocephalous Orthodox bishopric in Constantinople is impossible, since the co-existence of two Orthodox bishops exercising full jurisdiction in the same diocese is contrary to canon law. Besides the constituent elements of the institution of the Patriarchate, the Patriarchate also exercises rights which are not of an essentially canonical order. Such are the creation, administration and maintenance of schools, hospitals, orphanages and almshouses of all kinds; the administration of ecclesiastical funds; the maintenance of official relations with the Turkish Government; the exercise of ecclesiastical justice, &c. If the suggestion of the French delegation is to be adopted, the exercise of the above-mentioned rights could be made to devolve on a vicariate-general created for this purpose, the head of which should be a prelate of high rank nominated by the Patriarch.

"The religious rights and duties defined under headings (*a*), (*b*) and (*c*) would be reserved to the Patriarch. All other matters, on the other hand, would be dealt with by the vicariate-general assisted by the element of laymen. The Turkish Government could exercise a control over the nomination of the vicar-general."

After this declaration had been read, the Turkish delegation pointed out that it constituted, in their opinion, a plain and definite refusal of the French suggestion, and refused to consider it.

At the meeting on the 4th instant, the Turkish delegation formally demanded the removal of the Patriarchate from Constantinople on the ground that that institution had always carried on political activity in Turkey and would continue to do so. The Turkish delegation drew attention to the very hostile attitude adopted by the Patriarchate towards the State in the course of the last war, and expressed the conviction that its remaining at Constantinople would give rise to further conflicts. The Patriarchate could transfer its seat to Mount Athos and exercise thence its spiritual influence over the Orthodox world.

The Greek delegation maintained that it was essential that the Patriarch should remain at Constantinople; even if he were forced to leave that city he would always retain his title of Patriarch and Archbishop of Constantinople. The Patriarch was, up to the proclamation of the Constitution, the head of the Greek nation; his powers were confirmed by the "berats" given him by the Turkish Government; he must be of Turkish nationality, and hold the rank of vizier in the hierarchy of the officials of the State.

The Turkish delegation maintained their point of view and declared that the Turkish Government, which had abolished the temporal power of the Caliph, was firmly determined to remove the Œcumenical Patriarchate from Constantinople. They added that if the Greek population of Constantinople wished to remain in the town, the Patriarchate must transfer its seat elsewhere; otherwise the Greek population would also have to leave. The Turkish delegation further added that if the question of the Patriarchate was not solved, they would withdraw their acceptance in principle of the solutions proposed for all the other questions submitted to the sub-commission. In view of the impossibility of reaching an agreement on this point, I have thought it my duty to refer the matter to the plenary commission in the hope that with its great authority it may succeed in resolving the conflict, the nature of which I have had the honour to explain.

I therefore beg leave to invite the earnest attention of the commission to this regrettable fact. The committee was required to resolve the problem of exchanging populations in all its various aspects, and has drawn up clauses for the purpose; these clauses cannot be put into execution; hence there have already arisen—and there will arise still more in future—grievous consequences as regards the fate of hundreds of thousands of persons.

Conscious of the moral responsibilities which weigh upon us, I cherish the most ardent wish that it may be possible to find, without further delay, some means of removing the obstacle which is preventing us from putting an end to so much misfortune, suffering and uncertainty in the life of entire populations.

Pray accept, &c.
MONTAGNA.

No. 24.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Twenty-first Meeting, January 23, 1923, at 11 A.M., under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.	FRANCE.
The Marquess Curzon of Kedleston. Sir H. Rumbold.	M. Bompard.

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* These minutes do not represent the signed versions of speeches other than the British.

ITALY.

Marquis Garroni.
M. Montagna.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.

Also present:

BRITISH EMPIRE.

Sir Eyre Crowe.
Mr. Malkin.
Lt.-Col. Heywood.
Dr. Clemow.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Major Young.
Captain Ashley.

FRANCE.

Admiral Lacaze.
M. Fromageot.
M. de Lacroix.
M. Laporte.
M. Bargeton.
M. de Percin.
Lt.-Col. Courtin.
M. Sanguinetti.
Commandant de Lamoricière.

ITALY.

Admiral Chelotti.
M. Arlotta.
M. Guariglia.
M. Ciamarra.
Dr. Senni.
M. Salem.
M. Guisi.

UNITED STATES OF AMERICA.

Mr. Dwight.
Mr. Amory.
Mr. Heck.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Col. Saigo.
Capt. Tsuru.
Mr. Tani.

GREECE.

M. Michalopoulos.
Gen. Mazarakis.
M. Politis.
M. Dendramis.

ROUMANIA.

M. Contzesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Georgevitch.

TURKEY.

Moukhtar Bey.
Munir Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries:

BRITISH EMPIRE.	FRANCE.
Mr. Spring Rice. Mr. Wicks.	M. Lagarde.
ITALY.	UNITED STATES OF AMERICA.
M. Indelli.	Mr. Belin.
JAPAN.	GREECE.
Mr. Hotta.	M. Collas.
KINGDOM OF THE SERBS, CROATS AND SLOVENES.	TURKEY.
M. Milanovitch.	Rechid Safvet Bey.

Interpreter: M. Camerlynck.

LORD CURZON said that among the matters requiring to be laid down in the form of articles in the Treaty of Peace, which he hoped was about to be concluded, was the determination of the southern frontier of the Turkish dominions in Asia, *i.e.*, that between Syria and Irak. This question was to have come before the commission as far back as the 27th November, only a week after the opening of the conference; but on the evening of the 26th November Ismet Pasha had asked Lord Curzon to defer public discussion of the subject pending a private exchange of views between them. Lord Curzon had gladly acceded to this request. The exchange of views took place, and afterwards developed into an exchange of written notes, which had been circulated to the principal Allied delegations.* Unfortunately, this exchange of views and notes led to no result. The Turkish delegation retained unchanged their demand for the restoration of the Mosul vilayet to Turkey, and Lord Curzon was compelled to reiterate his refusal. There was, therefore, no alternative but to lay the matter before the commission, so that both sides should have the chance of stating their respective cases to the conference and the world. Lord Curzon had told Ismet Pasha a month ago that this course would probably be necessary, and a few days since he had informed his Excellency, and also his French and Italian colleagues, that he proposed to discuss the matter at the commission on the present day. He therefore asked the Turkish delegation to state their case, after which he would give the British reply.

ISMET PASHA read the following statement:—

"The Mosul question has formed the subject of both oral and written discussion between the Turkish and British delegations.

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* For the correspondence between Lord Curzon and Ismet Pasha, see Appendix (pp. 363 to 393).

I beg leave to review the arguments used by the two parties and the reasons for which Turkey cannot consent to the cession of the Vilayet of Mosul to another Power.

"These reasons are ethnographical, political, historical, geographical, economic and military.

"I.—*Ethnographical Reasons.*

"The stationary population of the Mosul Vilayet amounts to 503,000 persons. The vilayet also contains nomad tribes—Kurdish, Turkish and Arab—amounting to about 170,000 people.

"These nomad tribes move from place to place according to the season, and at certain times of year they even leave the Vilayet of Mosul. It is therefore impossible to fix their numbers exactly. They pass the different seasons, according to their needs, in the districts of Bagdad, Nejef, Mosul, Zor, Diarbekir and even on the tablelands of Iran; that is why they cannot be regarded as really forming part of the population of the Mosul Vilayet.

"The 503,000 people who constitute the stationary population of this province consist, according to the latest Turkish official statistics, of :—

—	Kurds.	Turks.	Arabs.	Yesidi.	Non-Moslems.	Total.
Sanjak of Suleimanieh ...	62,830	32,960	7,210	...	...	103,000
,, Kerkuk	97,000	79,000	8,000	...	...	184,000
,, Mosul	104,000	35,000	28,000	18,000	31,000	216,000
Total population of the Vilayet of Mosul ...	263,830	146,960	43,210	18,000	31,000	503,000

Lord Curzon hoped that Ismet Pasha would pardon him for interrupting for one moment. His Excellency appeared to be reading out the first written reply of the Turkish delegation to the first written statement of the British views—a voluminous document of some five pages of print. If Ismet Pasha proposed to read out the whole of that document, it would take up most of the morning, and he hoped that his Excellency might be willing to summarise it in a more concise form. He had no desire to interfere with his Excellency's speech, but merely to suggest that much time and trouble would be saved if the document, instead of being read, were circulated to the delegations.

Ismet Pasha said that the statement which he was about to make was as brief as possible. He continued :—

"This table shows (*a*) that the Arab element is insignificant in the Sanjaks of Suleimanieh and Kerkuk; (*b*) that in the central Sanjak of Mosul there are only 28,000 Arabs as against 137,000

Turks and Kurds; (*c*) that in the whole Vilayet of Mosul there are 410,790 Turks and Kurds as against 43,210 Arabs and 31,000 non-Moslems. More than four-fifths of the population of the vilayet thus consists of Turks and Kurds, and less than one-fifth of Arabs and non-Moslems.

"This is the point over which the first Turco-British controversy arises.

"The British delegation not only contest the figures supplied by us, but further declare (*a*) that the Turkish Government has never been able to draw up exact statistics regarding the population of the Vilayet of Mosul; (*b*) that, on the other hand, British officers and officials have since the armistice of 1918 travelled throughout this region and ascertained with far greater precision than we the number and proportions of the inhabitants of all races and religions.

"It is easy to reply to this statement. Turkey has had effective possession of the vilayet for centuries, and, owing to the necessities of military recruiting, she was obliged to have precise knowledge of the movement of the population. The Turkish statistics were, moreover, compiled before the great war, after minute investigation; and at that time there was no political motive for falsifying the figures which indicated the proportions between the various elements of the population.

"The British Government, on the contrary, has never effectively mastered this vilayet; and, further, the British officers and officials have never yet been able to penetrate into the Sanjak of Suleimanieh. It is thus clearly impossible to admit that a few officials, going through only a part of a province over which the authority of their Government is not even established, could draw up exact statistics for the whole province.

"Under these conditions it must be recognised that the Turkish statistics are the only ones consonant with fact.

"Then again, according to the figures furnished by the British delegation, the population of the Mosul Vilayet included in the year 1921:—

—	Arabs.	Kurds.	Turks.	Christians.	Jews.	Total.
Mosul	170,663	179,820	14,895	57,425	9,665	432,468
Erbil	5,100	77,000	15,000	4,100	4,800	106,000
Kerkuk	10,000	45,000	35,000	600	1,400	92,000
Suleimanieh	...	152,900	1,000	100	1,000	155,000
	185,763	454,720	65,895	62,225	16,865	785,468

"As will be seen, the British Government itself recognises that the Arabs and non-Moslems form the minority of the population in the province, and that the Kurds and Turks are in a majority.

"I will now give some information regarding the various elements of which the population of the Mosul Vilayet is composed, and their distribution.

"The Arabs are situated almost entirely to the south of the line Gayara–Sanjar and on the right bank of the Tigris. If you exclude a narrow strip of territory between Fethie and Kerkuk, the district on the left bank of the Tigris is entirely peopled with Kurds and Turks. In Mosul town itself three languages are spoken—Turkish, Kurdish and Arabic; but the inhabitants of the town who now speak Arabic and are taken for Arabs are really Turks who, having been in constant contact with the Arabs for a long time, have learnt both languages. Those who know the country realise that the inhabitants of Mosul have never regarded themselves either as Arabs or as forming part of the population of Irak.

"The British delegation recognise that Tel-Afr is a Turkish town and that there are numerous Turkish villages around Mosul. In fact, the Nahies of Chehian and Achair-i-Seba, which are united with Mosul and comprise 146 localities, are entirely inhabited by Turks; and the Nahie directly dependent on Mosul, comprising seventy-seven localities, has a population the great majority of which are Turks.

"The Turkish character of this district and of the Kerkuk and Erbil districts is, moreover, recognised by the British Government itself, since the proclamations addressed by British officials to the local population are drawn up in the same Turkish language as that in use at Constantinople.

"The Yazidis are Kurds, and naturally have the same manners and customs as the Kurds; they only differ in the religious sect to which they belong. It is therefore unfair to differentiate them from each other, just as it would be unfair to regard the people of one nation, some of whom are Catholics and others Protestants, as belonging to different races.

"It has been argued that the Turks of the Mosul Vilayet are Turcomans and not Turks, and that their language differs from the Turkish spoken at Constantinople.

"Now, as a matter of fact, the Turkish in use at Mosul is the same as that in use in Anatolia, and there is no place in the whole of Asia Minor where the spoken Turkish is identical with that of Constantinople.

"The same thing may be observed in all countries where a single language always varies slightly from town to town and from province to province.

"It is, moreover, an undoubted fact that the Turks of Anatolia belong to the group described by the name of Turcomans. There is therefore no serious foundation for the differentiation which it is sought to establish between the Turks of Mosul and those of Asia Minor.

"It has been said that the Kurdish people is Iranian in origin. This statement is contradicted by the 'Encyclopædia Britannica,' which recognises that the origin of the Kurdish people is Turanian, and thus confirms the argument of the Turkish delegation.

"Those who know Anatolia are aware that as regards manners, usage and customs the Kurds do not differ in any respect from the Turks, and that these two peoples, while they speak different languages, form a single unit in respect of race, religion and manners.

"The Christians who live in the districts in question are chiefly Nestorians, Assyrians and Chaldeans.

"When the Vilayet of Van was invaded by the armies of Tsarist Russia the Nestorians acted in such a traitorous and cruel manner towards their Moslem compatriots, with whom they had been living side by side in complete tranquillity for centuries, that they felt bound to leave the country with the Russians when the latter retreated.

"The Chaldeans, and more especially the Assyrians of the Vilayet of Diarbekir never let themselves be influenced by foreign agitation and they are still living on terms of perfect understanding with their Turkish compatriots.

"The British delegation are obliged to recognise that the great majority of the population of the Mosul Vilayet consists of Turks and Kurds (more than 85 per cent. according to the Turkish statistics—the only statistics the accuracy of which can be guaranteed—and more than 66 per cent. according to the statistics of the British themselves); but they regard the three Vilayets of Basra, Bagdad and Mosul as an indivisible whole with an Arab majority.

"The Turkish delegation cannot agree with this view, for history, geography, ethnography and the economic needs of the Mosul district are all in contradiction with the British argument.

"Since the remotest times the districts of Mosul and Bagdad have formed separate States. Sometimes they have been incorporated in great Empires, such as the Persian Empire, the Empire of Alexander the Great, the Arab Empire and the Ottoman Empire, but they have almost always gone asunder after the disappearance of those Empires.

"It will be seen in the geographical section of our statement that as regards the lie of the land and the climate, the Mosul Vilayet forms part of Anatolia and not of Irak.

"The same observation applies to the ethnographical character of the district—a point which is not contested by the British delegation.

"Lastly, since the railway connecting Mosul with the Mediterranean was built, this province is indissolubly united with Anatolia from the economic point of view as we shall prove presently.

"It has also been argued that as the majority of the population in the town of Mosul is Arab, the whole province should be united with Irak. We have already spoken of the population of the town of Mosul and do not wish to revert to the subject; but even if the abovementioned statement was in accordance with fact, there would be no reason why an Arab majority in the capital of a province, which formed a tiny minority in the province itself, should decide the fate of the whole province.

"II.—*Political Arguments.*

"The political arguments on the strength of which the British delegation decline to restore the Vilayet of Mosul to Turkey are as follows:—

"(*a.*) That there is a large number of Arab inhabitants in the vilayet.

"(*b.*) That the Kurds do not wish to live together with the Turks; that they have proved this first by revolts before and during the war (in this connection reference is made to events at Bitlis in 1914 and to events at Dersim), and afterwards by fighting badly during the great war; and further that the Turkish Government, unlike the British Government, has no desire to grant the Kurds autonomy.

"(*c.*) That the British Government entered into certain engagements during the war and after the armistice towards the Arabs, who for their part display great attachment to England.

"(*d.*) That Great Britain assumed a mandate for Irak in April 1920 at San Remo under the ægis of the League of Nations, in accordance with article 22 of the Covenant, and thus entered into engagements towards her Allies from which she cannot recede.

"(*e.*) That as the British armies defeated the Turkish armies during the great war and conquered Mosul and the whole of Irak, England can claim the possession of those countries by right of conquest.

"In reply to these considerations, the Turkish delegation have had and now have the honour to advance the following arguments:—

"(*a.*) The Arabs, even if they are coupled with the non-Moslems, form, as we have already shown, and as the British delegation themselves admit, a minority in the Mosul Vilayet. It would therefore be unjust and contrary to the right of self-determination to demand the union of the Mosul Province with Irak on this ground.

"Besides, if this argument is to be used in favour of the union of Mosul with Irak, Turkey would have just as much right to point to the existence of a much larger Turkish population to the north of Bagdad as a reason for asking that that country should be included within her frontiers.

"(*b.*) The statement that the Kurds do not wish to live together with the Turks is in no way consonant with the facts.

"Centuries have passed during which these two peoples, united by community of race, religion, aspirations, manners, usage and customs, have lived together in perfect understanding; history shows that the Kurds came under Turkish administration and associated their destinies with those of Turkey most willingly.

"The Government of the Grand National Assembly of Turkey is the Government of the Kurds just as much as the Government of the Turks, for the real and legitimate representatives of the Kurds sit in the National Assembly and take part in the government and administration of the country to the same degree as the representatives of the Turks.

"The Kurdish people and their above-mentioned representatives do not agree that their brethren who live in the Mosul Vilayet should be separated from the mother-country, and are ready to endure any sacrifice in order to prevent such a separation.

"It is undeniable that the Kurds and the Turks, who form the vast majority of the population of the Mosul Vilayet, have never ceased and never will cease for a single instant to fight with all their strength to ensure that their province shall continue to form an integral part of Turkey. This population has quite recently informed the Grand National Assembly of Turkey of its unshakable resolution to obtain the restoration to Turkey of their country which was occupied after the armistice of 1918.

"For the purpose of showing how deeply this desire is rooted in the hearts of the inhabitants of the Mosul Vilayet, one need only consider the events which have taken place since the unjustifiable occupation of the province, many of which have been announced in British official communiqués.

"It is in fact known that the British troops have always had to fight against the above-mentioned population; that the Kurds enrolled by the Irak Government have seized every favourable opportunity for passing to the Turkish side; that British air squadrons have often had to bombard Turkish and Kurdish villages in order to prevent them by terrorisation from displaying their devotion to Turkey; and finally, that at the time of the so-called plebiscite organised in regard to the Emir Feisal, despite all the pressure exercised upon the population of the vilayet, it was only the minorities in the town of Mosul who took part in the vote. The events occurring at the present moment in the province entirely confirm our statements.

"The incident which occurred at Bitlis in 1914 was due to incitement by certain foreign consuls; it was of no importance and of a purely local character. The nature of this incident can be illustrated by the fact that one of the persons who was considered to be compromised in the affair is now a member of the Grand National Assembly of Turkey. The Dersim affair, which is also quoted by the British delegation, is of the same kind.

"It is evident that a local incident arising for some reason at a particular place in Turkish territory cannot in any way be interpreted as proving the desire of the population of that place to be separated from Turkey. Similar occurrences may, moreover, be observed everywhere.

"As regards the statement that the Kurds fought badly during recent wars, the Turkish delegation consider it their duty to declare that all the leaders of the Turkish army who took part in the great war and in the war of independence have borne witness with respect and admiration to the services rendered and the sacrifices made by the Kurdish people for the welfare of their country. In particular, in the struggle against the Sultan and the Government of Constantinople which has now disappeared, in the defence of the various fronts in Anatolia which were attacked by our enemies, and in the offensive which ended in the complete crushing of the Greeks, the Kurds worked together with the Turks in perfect harmony to attain a single object and realise a single ideal.

"In concluding this part of our statement, it only remains for us to deal with the question of autonomy, which, according to the British delegation, England proposes, but Turkey declines to grant to the Kurds.

"The Kurds have always enjoyed all the rights of citizens in Turkey; they have always collaborated with the Turkish Government in political and social affairs, and therefore have never been able to regard the Turkish Government as a foreign Government. At this moment they have their deputies in the Grand National Assembly and take an effective part in the government and administration of the country.

"There is not a single Kurd who would wish to exchange a position of this kind for that of the subject of a foreign State in a territory which, whatever name may be given to it, could never really be anything but a colony.

"The Kurds know that in that event they would have no effective influence over the destinies of their country, which would be settled from afar off by a Government and a Parliament where they were not represented.

"The alleged civic rights and privileges which have been granted to the people of the so-called autonomous districts could never satisfy a dominant race like the Kurdish race.

"These considerations, which apply just as much to the Kurds of the Mosul Vilayet as to those of the rest of Anatolia, explain why the fictitious autonomy which has been promised for four years to the inhabitants of the eastern parts of this province does not in any way attract them and cannot induce them to consent to share the fate of a population which has, in fact, been reduced to the state of a colonised people.

" (*c.*) The statements made during the war with regard to the liberation of the Arabs from Turkish administration are well known; but it must be admitted that they have lost all real value since 1918.

"According to the declarations of the Emir Feisal, which appeared in all the press of Damascus on the 15th February, 1920, the British Government, when they entered into negotiations in 1915 with the Shereef of Mecca, Hussein, with a view to inducing him to rise against the Ottoman Empire, did not undertake to incorporate the Mosul Vilayet in the free and completely independent Arab State which it was then proposed to create.

"One can show the real nature of the devotion of the Arabs to Great Britain by recalling events in Irak during 1920 and 1921, the great military effort made by England with a view to suppressing by force of arms the Arabs' aspirations to independence, and their constant desire to see the end of a régime which, by whatever name it may be called, is none the less a mere colonisation.

"If the British Government, who have promised liberation to the inhabitants of Irak, were to leave those people free and unfettered by any military occupation, and if they allowed these people to vote in complete independence respecting the destiny of their country, not a single person would be found who wished for any occupation, protection, or mandate whatever; for at the present day peoples wish to have effective control over their own destinies and not one of them any longer asks for a protector or a guide. All of them have understood that the words "protection," "guide in the path of civilisation," &c., when used by dominating people are merely means for the political and economic absorption of conquered peoples.

"On the contrary, one can only get at the truth by recognising that the inhabitants of Irak show the keenest desire to associate their destinies with those of the Turks, no matter in what manner. But the Government of the Grand National Assembly of Turkey, whose fundamental principle is to regard the parts of the Ottoman Empire outside Turkey proper as being no less free and independent than Turkey herself to settle their own fate, has never dreamt of exploiting the attachment of the Arabs to Turkey. Our claims, therefore, only concern districts which ought to be restored to Turkey; as regards the countries which remain outside our frontiers, we wish them independence and prosperity.

"(*d.*) Turkey has never recognised the need of any mandate in Irak and, moreover, has no knowledge of the mandate having been assigned to England; further, no juridical value can be attached to the treaties concluded in regard to Irak, a country which legally is still part of the Ottoman Empire. In this connection we wish to observe that article 22 of the covenant, to which the British delegation appeal, has not been respected, for the inhabitants of Irak were not left free to give a really independent opinion on the subject of the mandate which England is said to have secured for herself.

"The plebiscite held in this country, not on the question of the mandate but on that of Emir Feisal, took place after the forcible repression of revolt and under the pressure of the forces of occupation; it therefore cannot serve to prove the attachment of the population to the present régime.

"The Allies have, both before and after the armistice of 1918, concluded a series of successive agreements for the purpose of dividing up various parts of the Ottoman Empire and even of Turkey proper, or again with a view to securing for themselves special advantages in certain Turkish districts. Most of these agreements have been recognised to be inapplicable in consequence of the events of the last few years. There is no reason why the San Remo Agreement in regard to Mosul should have the privilege of being unalterable.

"(*e.*) The right of conquest, which is invoked as justifying the seizure of Irak and Mosul by England, has no validity in the present century. The Turkish delegation are not afraid to appeal on this subject to the public opinion of all countries. They are convinced that they will have the support of all true democrats when they meet an argument so foreign to the spirit of modern times with the contrary argument, namely, that the people of a country may not be transferred against their will from the sovereignty of one State to that of another.

"During the great war, was not our argument that of the Allied Powers, and did not President Wilson when he proclaimed it aloud make it the basis of future peace?

"This argument of the right of conquest is in no sense valid in the case of the Mosul Vilayet, for this vilayet was occupied after the conclusion of the armistice and contrary to its provisions. The destiny of Mosul is in every respect similar to that of Smyrna, Eastern Thrace, Constantinople, Adana, Ourfa, Aintab, &c.—all of which were occupied after the suspension of hostilities and contrary to the conventions which had been concluded. It is therefore natural and logical that the Mosul Vilayet, like the towns and districts just mentioned, should be restored to Turkey.

"III.—*Historical Arguments.*

"For the last eleven centuries, long before the foundation of the Ottoman and Seljuk Empires, Mosul and the district as far as the north of Bagdad have belonged uninterruptedly to the Turks.

"In the time of the Abbasid Caliphs these regions were in the hands of Turkish Governors, soldiers and population.

"Later on the Turkish Ata-Bey dynasty, and later that of the Artuks, founded various independent States and reigned at Mosul, Sanjar, Djeziret-ibn-Omar, Kharpout, Mardin, &c.

"These dynasties left behind them numerous buildings, especially at Mosul; the latter town still owes much to the Seljuks, who possessed the country after the above-mentioned dynasties and before the Ottoman dynasty.

"In ancient historical works the district extending from the south of the Mosul Vilayet as far as Bagdad is designated as Tataristan. A trace of this name still subsists in modern maps in the form of Vadi-i-Tatar.

"IV.—*Geographical and Economic Arguments.*

"From the point of view of geography, lie of the ground and climate, the dividing line between Anatolia and Irak is the line Jebel Hamrin–Jebel Fouhoul–Vadi-i-Tatar–Jebel Sanjar.

"To the north of this line the Mosul Vilayet is identical with Anatolia as regards climate and other conditions.

"The town and Vilayet of Mosul, which lie at the crossing-point of the routes connecting Anatolia, Syria and Persia, are of the greatest importance as regards the communications of southern Anatolia with Persia and Syria. This district is still more important as regards communications between the various parts of Southern Anatolia, for in it lie the intersections of the roads connecting Suleimanieh, Kerkuk, Diarbekir, Ourfa, Bitlis, Siird, &c.

"The chief economic arguments used by the British delegation in support of their request on the subject of Mosul can be summed up as follows :—

"(*a.*) That the chief outlet for the commerce of Mosul is the Persian Gulf.

"(*b.*) That Bagdad needs the products of Mosul and especially its grain and timber building material.

"These arguments are not sound, for—

"In consequence of the construction of the railway connecting Mosul with the Mediterranean ports, Mosul is now much more closely connected with Anatolia than with Irak. Its principal outlet is on the Mediterranean, where it can get into communication far more easily and rapidly with the industrial countries of Europe, of which it has special need as a market for its raw materials and as a source from which to obtain manufactured goods. Since the construction of this railway, the Persian Gulf route is of altogether secondary importance for the Mosul Vilayet.

"(*b.*) The timber building-material used at Bagdad does not come from the Vilayet of Mosul, but from that of Diarbekir; and similarly the grain shipped from Mosul to Bagdad comes mostly from Diarbekir and, like the timber, only passes through Mosul in transit.

"If one adopted the principle that all the districts which supply the economic needs of a country should be annexed to it, one would be obliged to modify entirely the present frontiers of all States and draw new ones, taking into account the economic interdependence of the various territories. The impossibility of carrying out such a principle is obvious; and as Mosul is now much more closely connected with Anatolia and the Mediterranean than with Irak and the Persian Gulf, owing to the construction of the new railway, the economic arguments advanced by the British delegation fall to the ground.

"V.—*Military and Strategical Arguments.*

"As we have just mentioned, Mosul is of great importance as regards communications between different parts of southern Anatolia and consequently as regards the security of this district.

"The line Jebel Hamrin–Jebel Fouhoul–Vadi-i-Tatar–Jebel Sanjar has been indicated by us as the frontier between Anatolia and Irak because, apart from ethnographical, geographical, economic, political and other considerations, it forms a line of separation between these two regions which is both clear and natural.

"It has been argued that this frontier would constitute a threat against Bagdad and the communications of that town with Persia;

but that argument cannot prevail against ours, for many States have their capitals or important towns on or near the frontier. If these considerations were to be taken into account, the régime of the Straits which is proposed to us should be entirely modified with a view to ensuring the safety of Constantinople, and our frontiers in Thrace should be moved much farther back so as to cover Adrianople, in front of which there are not the 70 miles which separate Bagdad from the frontier demanded by us. It must also be observed that the frontier which we claim is not any nearer to Bagdad than the Persian frontier.

"Let us now examine the argument regarding the necessity of making the newly-created State of Irak a workable concern.

"The combined Vilayets of Basra and Bagdad which form Irak have a much larger area than that of many European Powers. From the point of view of economic resources they include the largest and most fertile arable lands in the world, and they are traversed and watered by two great navigable rivers over nearly their whole course through Irak.

"This combination of circumstances obviously leaves no other grounds on which to support the argument about the necessity of making the State of Irak workable except the argument concerning strategical frontiers.

"But the strategical argument, to the effect that if Irak does not obtain the Mosul Vilayet it will be exposed to losing its independence owing to Turkish aggression, does not correspond with the facts.

"The Turkish delegation wish to observe that the frontier which they propose (the line of Jebel Hamrin–Jebel Fouhoul–Vadi-i-Tatar–Jebel Sanjar) consists of a series of mountains which form the natural dividing line between Turkey and Irak and can quite equally well be regarded as a strategical frontier. The Turkish delegation do not, however, wish to discuss the theory of strategical frontiers at length, which no longer requires refutation; they only wish to observe that Turkey cannot agree, for the purpose of giving Irak a completely useless and really illusory guarantee, that a whole province, with a Turkish and Kurdish population of half a million, should be detached from the mother-country. The Turkish delegation cannot in any way recognise the existence of those aggressive or predatory intentions which are imputed to Turkey without any justification. The history of the last two centuries proves that Turkey has never had any designs whatever on her neighbours; that she has always fought not for the purpose of making conquests but, on the contrary, of defending her own inheritance which was coveted by others; and that Turkey, which has now ceased to be an Empire and become a national State, cannot think of attacking and conquering a country whose population belongs to a different race.

"As regards an Arab aggression against Turkey, it is superfluous to say that Turkey does not believe such a thing to be possible; for the Turkish and Arab peoples who have lived together like brothers for centuries would obviously never think of attacking each other when left to themselves.

"The best guarantee for the safety of Irak, whatever authority may be established in that country, is to acquire the friendship of Turkey and not to create Turkish and Kurdish irredentism within its frontiers. It is also evident that once the frontier question has been settled in accordance with justice and the principle of nationality, Turkey will be the best and safest of neighbours for the State of Irak.

"Having thus reviewed the arguments hitherto employed, the Turkish delegation have the honour to add the following:—

"Turkey has to this day done nothing which could give ground for the belief that she ever contemplated the possibility of ceding the Mosul Vilayet to another Power. England is not in the same case. The arguments now employed by her with a view to demonstrating that Mosul is inseparable from Irak did not seem to her of the same importance in 1915, at which time she was negotiating with the Shereef of Mecca, Hussein; in 1916, when she agreed to part of this region being placed under a French mandate; and in 1919, when General Shereef Pasha, with the encouragement of Great Britain, claimed the creation of an independent Kurdistan and asked for the separation of Mosul and Irak.

"The only new development to which the British delegation can point as an explanation for their present argument, which is based on the idea that Mosul and Irak are inseparable, is nothing more than the agreement of San Remo. It will be admitted that this argument is not such as to justify the severing from the mother-country of a region where the vast majority of the population is Turkish and Kurdish.

"I beg leave to sum up as follows the considerations in view of which Turkey cannot consent to yield the Mosul Vilayet:—

"1. The great majority of the population in this vilayet consists of Turks and Kurds.

"2. The inhabitants of the vilayet urgently demand that they may be restored to Turkey, for they know that in that event they will cease to be a colonised people and become citizens of an independent State.

"3. Geographically and politically this vilayet forms an integral part of Anatolia, and it can only maintain close relations with the ports of the Mediterranean, which are its real outlets, if it remains united to Anatolia.

"4. All the treaties, agreements and conventions which England may have concluded in regard to a country which is still legally part of the Ottoman Empire can have no legal value, the more so because the populations have not been given a chance of expressing their wishes freely and safe from all pressure and foreign occupation.

"5. As Mosul is the point of intersection of all the roads connecting the southern parts of Anatolia, its possession is indispensable to us for the economic life and the security of that region.

"6. The Mosul Vilayet was taken away from us, like many other parts of our country, after the suspension of hostilities and contrary to the conventions which had been concluded; it ought, therefore, to be restored to us like the other districts which suffered the same fate.

"Before concluding my statement, I beg leave to say that the Turkish delegation, in formulating their requests in regard to Mosul, are sure of the entire support of public opinion in all countries, and are likewise convinced that all will recognise the accuracy and the soundness of the arguments which they have had the honour to advance."

Lord Curzon spoke as follows:—

"I welcome the opportunity of making a public statement on this question. There has been so much perversion, exaggeration and misrepresentation about the case of Mosul that it is desirable that the facts should be known. I am grateful therefore to Ismet Pasha for having summed up the Turkish case in the statement to which we have just listened. I propose to take his case point by point and to give my reply, and I shall be only too delighted if the Turkish case and the British case could be printed side by side and referred to the opinion of the world.

"First, I should like to explain the exact position in Mosul: how it is that we came there, what has been done since we came there, and what is being done there now. The whole of Mesopotamia was occupied in the course of the great war by the British troops. That was a war which ended in the defeat of the Turkish armies and the expulsion of the Turkish Government from the country. A little later on, however, the name of Irak was given because of its greater local familiarity to the country which we had hitherto called Mesopotamia.

"When we were forced to go into the war by the action of the Turkish Government, and when we first advanced into Irak, we gave solemn pledges to the people of that country that if we were successful in the war they should be freed from Turkish rule in the future. We entered into similar pledges to King Hussein at the same time—to support the independence of the Arabs in this area. When the war was over and we had been victorious we did our best to fulfil these pledges. Ismet Pasha said just now that the people of that country and of the Mosul Vilayet had never had a fair opportunity of expressing their views. That is not the case. We asked them whether they would prefer to be united together in future—that is Mosul, Bagdad and Basra—or whether they would prefer to separate. All three of these areas answered that they were parts of a complete and indivisible whole, and they declined to be separated. We asked them whether they wanted an Arab King and if so whom they would choose. Their replies were at that time divided, and therefore at the moment nothing could be done on that point. Meanwhile at Paris when the Peace Conference was sitting in 1919 the method of disposing of the conquered territories, whether of the Turkish or of the German Empires, by means of what is termed a mandate was set up; and as everybody knows it was established largely by the influence of President Wilson, to whom Ismet Pasha himself referred in favour of his argument just now. It remained for the Allied Powers who had conquered these territories in the war and who held them in trust to assign the mandates, and it was at San Remo in April 1920 that they decided to give the mandate for Syria to France and the mandates for Palestine and Mesopotamia to Great Britain. All these mandates stand on exactly the same basis. You cannot attack one without attacking the other. These mandates were confirmed by the Treaty of Sèvres in August 1920 and the frontiers of Syria and Irak were both laid down, the northern frontier of Irak being defined as the northern boundary of the Mosul Vilayet, with certain variations. It then lay with the League of Nations to determine what degree of authority and control the mandatory Powers should exercise in each of these areas. For this purpose draft mandates were submitted by the various mandatory Powers to the League of Nations in 1920–1921. In the course of 1921 the question of a single Arab ruler was solved by the election of the Emir Feisal to be King of the Arab State of Irak. That was a vote in which the Mosul Vilayet joined, and by which he was unanimously elected. In October 1921 the League of Nations, not yet having defined the final mandate, invited the British to continue to conduct their administration in the spirit of the draft mandate which had been submitted to them pending the final determination of the latter. Subsequently, in our anxiety to diminish British responsibilities and to confirm the independence of the Arab State, the British Government concluded a treaty in October 1922 with King Feisal, in which both parties, that is to say the mandatory Power and the Arab State, pledge themselves not to cede or lease any territory in Irak. That treaty has been signed, but it still awaits ratification. Now I was a little amused just now to hear Ismet Pasha say that mandates had no interest for him, and that the Turkish Government had never recognised mandated territories. But I seem to remember a few days ago when discussing the Ottoman debt he was only too anxious to saddle the mandated territories with the operation of the debt, and to regulate the partition of that debt from the date of the armistice. It is therefore quite clear that the mandated territories are recognised by him when it is convenient for his case.

"I have thus stated the juridical and treaty basis of the British position and interest in Irak, including the Mosul Vilayet, and I have shown to the commission that the British Government are under a three-fold pledge: firstly, to the Arab nation, to whom they promised that they should not be returned to Turkish rule; secondly, to the Arab King who has been elected by the whole country, including Mosul, and with whom we have entered into obligations; and thirdly, to the League of Nations without whose consent we cannot abandon our mandate over a large portion of the mandated territory. The only point which remains undetermined is the northern frontier of Irak, which has not yet been fixed by any legal instrument of the Allied Powers.

"As regards the military occupation of the Mosul Vilayet, I should like to inform the world that for the most part it is in the hands of the people of the country themselves. It is not garrisoned by British troops, but by native forces and native levies. The country of Kurdistan, about which so much has been heard, is held by Kurdish and Assyrian levies. There are no regular British troops there. In the rest of the Vilayet of Mosul security is maintained by Arab troops commanded by Arab officers, paid for by King Feisal. There is only a very small number of British troops north of Bagdad. Thus the military protection of the country is mainly in the hands of the people themselves. I hope that my argument up to this point will have convinced my hearers that it is quite impossible for my country consistently with a due sense of honour to run away from the pledges it has given, to break its word before the world, to cut out the Vilayet of Mosul from the mandated territory and to give it back to the Turkish delegation.

"Will Ismet Pasha allow me also to call his attention to the entirely novel and unprecedented character of his request? It will not be disputed that in Asia the Allied Powers, represented in this case by the British Government and the British armies, won the war. It will not be disputed that they wrested Mesopotamia from Turkey, or that they have held and administered the whole of that country for more than four years. Meanwhile it has been stated over and over again by authoritative spokesmen of the Turkish Government that, recognising their defeat in the war, they were quite prepared to accept the severance from their dominions of territories inhabited for the most part by peoples of other races, and to concentrate their interest in the future upon areas inhabited by people of the Turkish race. That is an object with which all of us here have so much sympathy that we are endeavouring to frame a treaty which will result in the building up of a Turkish State upon that basis : and yet the Turkish delegation come here and seriously contend that the British Government should hand back a considerable portion of the area which it thus conquered and which it has thus administered, because the Turkish Parliament at Constantinople in February 1920 came to certain resolutions which have been called the National Pact, and which have since been confirmed by the Grand National Assembly at Angora. I venture to say that such an argument has never before been addressed to a nation or Government that has been victorious in battle, and if it had been addressed at any time in their long history to the Turkish Government it would have been received with ridicule. Ismet Pasha said that it was contrary to the modern spirit to conquer anybody. Is that the spirit in which the Turkish Government are going to conduct their affairs in future? I do not know, but I am not quite sure that it is the spirit in which they have conducted these discussions in the last few weeks. But let that pass. After making these remarks, I will now take in detail the various considerations which Ismet Pasha has been good enough to place before us.

"Ismet Pasha based his case for the surrender of the Mosul Vilayet by Great Britain on grounds ethnographical, economic, historical and strategical. I will deal with each of these in turn. He commenced by giving us a series of figures and statistics of the population in the Mosul Vilayet. Will he allow me to point out that these statistics are destitute of any real value? In the first place he did not give us the date at which they were compiled, but it is quite obvious that they could only have been compiled before the war, several years ago; and it is also notorious that the Turkish figures were compiled only for the purpose of obtaining a list for military service or exemption, and thousands of people failed to appear in the list because by some means or other they avoided the obligation. Therefore, with all respect, he must allow me to refuse to accept his figures. What are the figures to which I shall refer? They are the figures which were compiled only the year before last with the utmost care by British officers visiting every part of the vilayet and making the most careful record of the facts in each locality and each town or village. Ismet Pasha said, What can you know about the figures in Suleimanieh and in Southern Kurdistan? We ought to know a great deal more than he does, for there have been British political officers in Suleimanieh continuously since October or November 1917, until they were temporarily withdrawn during a few weeks last year as the result of Turkish military activity in Rowanduz. There is a British military officer there now. What means have the Turkish delegation had of obtaining figures in the district in that period? There is not a Turk in the district of Suleimanieh now, and there has not been for years. Therefore when I come to the figures I am about to give I hope the conference will be assured that they are figures resting upon a scientific basis.

"I will now come to the actual figures at this moment of the populations of the Mosul Vilayet, which are as follows:—

"Arabs	186,000
"Kurds	455,000
"Turks	66,000
"Christians	62,000
"Jews	17,000

and I will ask permission to say a few words about each of these populations who are claimed now by the Turkish delegation. First let me take the Arabs. The figures I have given and which amount to a total population of between 750,000 and 800,000 for the entire Mosul Vilayet show that the Arabs are about one-quarter of the whole. In the town of Mosul, which has a population of from 80,000 to 90,000, between 50,000 and 60,000 are Arabs. The whole of the country north of Mosul on the right bank of the Tigris to the northern boundary of the vilayet is inhabited by Arabs. The whole of the country south of Mosul on the right bank of the river is inhabited by Arabs. Most of the country south of Mosul on the left bank of the river up to the Erbil–Kirkuk–Kifri road is inhabited by Arabs. On what conceivable ground ought these Arabs to be handed back to Turkey? I have already pointed out that they voted in 1919 for remaining in a single area of Mesopotamia or Irak. In 1921 they voted for Feisal as their King. Why should we hand them back to Turkey? Why should Mosul city be handed back to the Turks? It is an Arab town built by Arabs. During centuries of Turkish occupation it has never lost its Arab character. I am unable to understand any principle of logic or equity by which it can be contended that this Arab country should be handed over to Angora.

"Now I will turn to the Turkish population, upon which it is natural that Ismet Pasha should base his case. The Turkish population are only one-twelfth of the entire population of the vilayet. They are mainly situated in the towns of Erbil, Altunkeupreui, Kirkuk and Kifri. They are not Osmanli Turks at all. They are descendants of a Turanian invasion from Central Asia which came to this country long before either the Seljuk or the Ottoman invasions took place. They speak a Turkish dialect of their own. It is not the dialect of Angora; it is not the dialect of Constantinople. There exist also a certain number of the families of the Turkish officers and officials who had been employed by the Turkish Government in that neighbourhood. The whole of this people except in the Kirkuk area voted for inclusion in the Kingdom of Irak and for the Emir Feisal as its King. Let us suppose that they are well disposed to the Angora Government and that they would now like to go back. Is it to be seriously contended that the fate of the whole of this great vilayet is to be decided by the will of one-twelfth of the population, of uncertain origin and of doubtful sympathies?

"I will next take the case of the Kurds, of whom I remarked that there are 455,000 out of a total population of between 750,000 and 800,000. It was reserved for the Turkish delegation in one of their papers to discover for the first time in history that the Kurds were Turks. Nobody has ever found it out before. The origin of this people is somewhat obscure. Ismet Pasha in one of his notes quoted a single authority which was of opinion that they were of Turanian origin, but that is not an opinion that is shared by the best authorities, or indeed, so far as I know, by anybody else. It is a matter of general agreement that the Kurds are a people of Iranian race. They speak an Iranian language; their features are entirely distinct from those of the Turks, so are their customs and their relations with women. I have been in the Kurdish country myself; I have stayed with the Kurds, and though I do not pretend to be an authority I would undertake to pick out a Kurd from a Turk any day of the week, and I could not unless I were blind possibly confuse the two. For centuries these Kurds who are now claimed as Turks have lived an independent life of their own in the mountains. They have resisted all interference from Constantinople. The Turkish Government have never exercised effective control over Southern Kurdistan. Turkish Governors were often not able to enter the country, and frequently had to wait a long time before pursuing their journeys thither, and when there were only able to exercise but very little authority. During the war the Kurds in this area gave to Turkey no assistance whatever. In fact, any assistance they gave was given to the British. I will next answer one or two points made by Ismet Pasha. He asked why the proclamations published in Kurdish territory were in the Turkish language. My answer is that the Kurds are for the most part an illiterate people, and that the instruction in writing Kurdish which we have set on foot has not yet had time to penetrate very far. There had never hitherto been a written Kurdish language in Southern Kurdistan. Ismet Pasha said that there are several Kurdish Deputies in the Parliament of Angora. That may be; but does he seriously contend that there is a single Kurdish delegate from Southern Kurdistan? Has there ever been one from Suleimanieh? As regards the Kurdish Deputies at Angora, I wonder how they were elected. Is there a single one who was elected by a popular constituency? It is notorious that they are all nominated men, and that some of them cannot take part in the proceedings of the Assembly because they do not know the language. I do not think therefore that much weight should be attached to the point of parliamentary representation of the Kurdish community at Angora.

"As regards the general relations between the Kurds and Turks, we all know that there have been constant manifestations of Kurdish discontent under Turkish rule. During the last four years the British Government have been bombarded with representations from disappointed Kurds, asking us to interest ourselves in Kurdish autonomy or Kurdish independence. We have felt much sympathy for these representations. But pray do not let the Turkish delegation imagine for one moment that Great Britain desires to absorb a single Kurd into the British system. The whole of our information shows that the Kurds, with their own independent history, customs, manners and character, ought to be an autonomous race. One of the objects, and indeed one of the partial results, of our administration has been the setting up of a system of local autonomy with local administration and local schools, where an attempt is made to teach the written Kurdish language. Why should these people in this condition be taken and handed over to Angora, why should there be a plebiscite of this people? Angora asks for a plebiscite; the Kurds have never asked for it. Poor fellows, they do not know what it means. The Arabs and the local Turks have never asked for it. The only people who have asked for it are the Turks of Angora. And yet only a few moments ago Ismet Pasha said that it is contrary to the modern spirit to impose on people something for which they have not asked. Further, the whole of the economic connections of this Kurdish country are with

Bagdad and not with the north. What justification is there for cutting this economic connection?

"Then as to the Christians. Ismet Pasha has referred to the question of these communities, the Assyrian and Nestorian Christians on the frontiers of Mosul, over 60,000 in number. Do they want to be handed over to Angora? Not a day passes that I do not get letters from them appealing to be saved from that fate. Early in the war they fled in thousands from Turkish territory, from Julamerk and elsewhere, and poured down into the plains of Mesopotamia, and the British Government has had to spend hundreds of thousands of pounds in providing for them. Little by little we have succeeded in settling them down in the northern parts of the Mosul Vilayet, where they are now preparing to defend themselves by raising levies. Against whom are they thus defending themselves? Not the British, who established them there; not the Arabs, who have no warlike intentions; it is the Turks they are defending themselves against, because they fear their aggression. And these are the people whom I am invited in a spirit of friendliness to hand over to the Turkish delegation.

"Ismet Pasha said, How do you explain the fact that in 1920–21 there was a rising in this country against your rule? Has the Turkish Government never experienced a rising in any of the territories which it governs? Is it not notorious that the main reason for which they are now expelling so many foreign elements from their country is the fear that they may take part in risings in the future? Risings in a country which has just been occupied and not yet settled are a very common occurrence. I could say a good deal about the rising in Irak of the year before last. I could tell a good many stories about the Turkish propaganda which brought it about, and I could even give the names of those responsible. It was the first experience which the people of that country had had of an orderly administration, with the due collection of taxes to be spent for the welfare of the people. That was quite a novel experience, and I can well believe unpopular with a good many. It took place in the transitional period before the Arab Government was set up. Since that rising has been subdued we have not had any further trouble of that description.

"I will deal very briefly with the two other arguments which were employed by Ismet Pasha for the severance of the Mosul Vilayet from Irak: the economic and strategic arguments. I was really astonished to hear his Excellency say that Mosul is commercially identified with Anatolia. Now what are the facts, which everybody knows? The whole of the trading relations of Mosul are either with Aleppo and Syria to the west or with Bagdad to the south. The whole of the exports of the Mosul Vilayet—grain, wool, hides, tobacco—either go down the river to Bagdad or else go to the west into Syria. Bagdad, as everybody knows, is mainly fed by wheat which comes down the river from Mosul. Then as regards imports, the piece goods from Europe, the tea, sugar and coffee which are vital to the life of the people of Mosul do not come from Turkey; they do not come from Van or Diarbekir; they come into the country by the routes which I have described. You have only got to read the commercial statistics of the district so far as they are available in order to establish this very elementary fact.

"On the point of strategy Ismet Pasha said very little, and perhaps wisely: he confined himself to saying that if the Mosul Vilayet was returned to Turkey the Turkish Government might be relied upon not to have any hostile intentions. Let us see what that means. Let us suppose that I yielded to Ismet Pasha and said he could have back the Mosul Vilayet. It is a rich country. Mosul would be an excellent place for an army corps to be stationed, and no doubt would make a first-class military station. The southern frontier is only 60 miles from Bagdad. Ismet Pasha has suggested that the Jebel Hamrin will make a good defensive boundary. But it is well known that this is not a great range of mountains, but merely a series of rolling downs. Is it not obvious that a Turkish army placed at Mosul would have Bagdad at its mercy, and could cut off the wheat supply almost at a moment's notice? It could practically reduce Bagdad by starvation. Moreover, it would be able to cut the line which runs to Khanikin, one of the main trade routes of the Eastern world. Thus it could make an Arab kingdom well-nigh impossible. I would not care to be on the throne of Bagdad if I had a Turkish army within 60 miles of me. Only a few months ago, when dealing with Thrace and Constantinople, it was proposed to put the Thracian frontier at 80 miles from Constantinople; the Turkish Government then said that it was quite impossible for them to accept so great a danger to their country and capital, that the frontier must be pushed further back, and that they must be given the whole of Eastern Thrace to secure their safety. Yet they come here and argue that it would be no danger to Bagdad to have the frontier brought down to 60 miles from the capital. I do not dispute for a moment the present very genuinely friendly intentions of the Turkish delegation, but it only needs a slight study of history to know that a powerful military nation like the Turks, if they were allowed to occupy the position they now claim, would probably bring about the extinction of the Arab kingdom at no distant date.

"I was rather surprised to hear Ismet Pasha lay stress upon the argument relating to the position in Mosul at the time of the Armistice of Mudros. During the last few weeks he has been contending that the Armistice of Mudros has been wiped out and is not worthy of consideration, and that everything ought to date from the Convention of Mudania, which was concluded only three months ago. But to-day he based his argument upon the allegation that on the 31st October, 1918, when the Mudros Armistice came into force, the British forces were not in occupation of the greater part of the Mosul Vilayet and therefore we could not claim to retain it. Let me give him the facts. The armistice was concluded on the 30th October 1918. The news of it did not arrive in the remote districts of Mosul until the 1st November, in the following week. On the 30th October the British forces were already in occupation of Altun Keupri, Kirkuk, Tauk, Yoz Khurmati, &c., the principal

Turkish towns in the vilayet. On the 1st November, before the news of the armistice had arrived, they were 13 miles outside Mosul city. On the 3rd November they occupied the town, where there were only one Turkish regiment, 850 rifles, 100 sabres and a few guns. The Turkish commander did not receive the full terms of the armistice till the 4th November; on the 9th November he received orders from the Turkish Government to evacuate. Apart from this, will Ismet Pasha allow me to remind him that armistice conditions have nothing to do with the final settlement of the conditions of peace? There is not a war in history in which movements of troops have not taken place after the conclusion of an armistice. In spite of the Armistice of Mudania, the movements of troops in Eastern Thrace are going on at this moment, as is well known. There is not a single treaty in history in which the armistice lines have been the peace lines ultimately laid down. Moreover, article 7 of the Mudros Armistice expressly authorised the Allies' troops to occupy strategical points in Turkey outside the armistice lines in the event of any situation arising which threatened the security of the Allied lines. That was precisely the case with Mosul, and therefore the occupation of that city, only a few miles distant, a few hours after the armistice was signed was fully provided for by the terms of the armistice itself.

"I only desire to allude to one more subject before I conclude, and that is a subject which was not referred to by Ismet Pasha, but which is widely and constantly discussed in the press of the world. It is supposed and alleged that the attitude of the British Government with regard to the retention of Mosul is affected by the question of oil. The question of the oil of the Mosul Vilayet has nothing to do with my argument. I have presented the British case on its own merits quite independently of any natural resources there may be in the country. I do not know how much oil there may be in the neighbourhood of Mosul, or whether it can be worked at a profit, or whether it may turn out after all to be a fraud. During the time I have been connected with the foreign affairs of my country I have never spoken to or interviewed an oil magnate. I have never spoken to or negotiated with a single concessionnaire or would-be concessionnaire for the Mosul oil or any other oil. I do not think that everyone in this room can say the same. It is notorious that since we have been here in Lausanne three representatives of the Turkish delegation were sent to London to offer oil concessions in the Mosul area (which is not theirs to dispose of) to British concessionnaires. That was done without reference to me and without my knowledge. I believe these gentlemen, when they arrived in London, said they had come over in order to inspect the institutions and collections of that great capital. I don't think they saw many of them. They came back very quickly when they found there was no actual business to be done behind my back, and their visit to British institutions was therefore postponed. I hope that next time they come to London they will give me the pleasure of calling on them, and I will have the greatest satisfaction in taking them personally to the British Museum. Meanwhile, what are the facts of the case? Just before the war a concession was given for the oilfields of the Mosul and Bagdad Vilayets by the Turkish Government to a British limited liability company—the Turkish Petroleum Company. The Germans had an interest in the company, and when they were defeated in the war their interest passed to the British. The British Government, after full examination, were convinced, and remain convinced, of the validity of this concession. They felt and feel bound to uphold it. But both the British Government and the company itself recognise that oil is a commodity in which the world is interested and as to which it is a great mistake to claim or to exercise a monopoly. Accordingly the company, with the full knowledge and support of the British Government, took steps, and negotiations have ever since been proceeding, to associate the interests of other countries and other parties in this concession, so that all those who are equally interested may have a share.

"If the exploitation is successful, Irak will be the main gainer and the world will gain also, and I have no doubt that Anatolia will profit in her turn. That is the substance of the oil affair, which I have explained to the commission in order that they may know the exact amount of influence—and it is NIL—which has been exercised in respect of oil on the attitude which I have ventured to take up to-day on this question of Mosul.

"I have now completed my statement of the reasons which have rendered it impossible for the British Government to agree to the Turkish demands. With the utmost desire to arrive at an amicable solution with the Turkish delegation of all the difficulties that confront us, and to conclude a treaty honourable to both, this is a demand which I am bound to resist from every consideration of obligation and of honour. It is a demand which I cannot conceive to be in the interests of the country itself to concede in virtue of all the considerations—economic, strategical, political, historical, geographical—to which Ismet Pasha appealed and on each one of which I have been willing to rest my case to-day. Whatever be the strength of my case, I venture to say that no weaker case than that of the Turkish delegation has ever been placed before an international conference.

"But since we cannot agree and since each side appears to be so confident of its own solution, my Government is quite content, relying upon the strength of its case, to refer this matter to independent enquiry and decision and to abide by the result. I have already pointed out, and I could argue at greater length, that this is not a case for a local plebiscite, which, in the light of our experience of recent plebiscites, could only result in bloodshed and confusion, and in all probability would lead to no decision. My point is that a plebiscite cannot determine a frontier. It may elect a deputy or a king, but to ask a mixture of peoples to decide by their votes what should be their frontier is out of the question and has never been successfully done in history. It is because it is a frontier question that I say a plebiscite is out of the question. It must be decided upon an examination of all the interests involved. We have to determine the future northern frontier of the mandated territory of Irak. Ismet Pasha has based his case upon quite a number of considerations—economic, strategic and otherwise—about which it is impossible for ignorant people to vote, but which clearly ought to be carefully sifted and examined in order that it may be known where the truth lies. Let us have such an impartial examination into the facts of the case. If asked what should be the nature of the enquiry and who should hold it, I think there is little doubt as to the best method to pursue. As the area is part of a mandated territory and the British Government exercise mandatory powers there under the League of Nations, and as we cannot surrender or modify that position without the consent of the League of Nations, I think and propose that the League of Nations should be the body entrusted with the examination to which I have referred. I conclude by inviting the Turkish delegation to accept this proposal on my part, which is made with a sincere desire to arrive at a conclusion, and, as I said just now, my Government will accept the result. I invite them to accept not only because the proposal is essentially fair and equitable, not only because the League of Nations appears to me to be on the whole the most impartial and authoritative tribunal to conduct the examination, but also because the Turkish delegation in the last few weeks have themselves signified their confidence in that body by expressing their desire to become members of the League as soon as peace is concluded. That is the suggestion which I submit to the commission and the Turkish delegation and to which I await with interest their reply.''

M. Bompard observed that the object of the discussion now proceeding in the commission was to determine the southern frontiers of Turkey in Asia. In this connection, he was bound to note the fact that it had not occurred to any delegation to speak of the frontier between Turkey and Syria. This frontier was not, in fact, under discussion, for the line had been definitely laid down by a Franco-Turkish Agreement. The conference did not have to concern itself with that agreement; it could only remark that it existed and take note accordingly.

This was not the case as regards the southern frontier of Turkey, between the Tigris and Persia. The Turkish and British delegations had stated their views on this question; both of them had set forth arguments, the soundness of which could be estimated. M. Bompard said he would refrain from reopening this debate, and would in particular be careful not to add anything to it; but it was his duty to observe that Lord Curzon's proposal was conceived in an extremely liberal spirit and appeared to be of a kind to solve a difficulty the gravity of which could not escape the notice of anyone. M. Bompard accordingly associated himself with the offer made by the British delegation, and urged that the Turkish delegation should receive it favourably.

Marquis Garroni said that he had nothing to add to Lord Curzon's most lucid statement of the question, or to the proposal just made by him. That proposal was so entirely reasonable that Marquis Garroni felt sure it would be possible on that basis to find a satisfactory solution for a problem which had so long been under discussion.

In reply to an enquiry by Lord Curzon, ISMET PASHA said that the Turkish delegation were ready to acquaint the conference with their opinion in the afternoon.

The debate was accordingly adjourned until 6 P.M.

(The commission rose at 2·10 P.M.)

APPENDIX.

Correspondence between Lord Curzon and Ismet Pasha respecting Mosul.

Document A.

The Marquess Curzon of Kedleston to Ismet Pasha.

Dear Ismet Pasha, *Lausanne, December* 14, 1922.

IN our various conversations about Mosul, you mentioned to me the grounds, racial, political, strategic, historical, &c., on which your Government rested their claims for the return of the Mosul Vilayet. I told you in reply that I contested each one of these claims, and I now send you a memorandum with the reasons for which I do so, and which—quite apart from the fact that Great Britain cannot give back a country of which she is a mandatory under the League of Nations—render it quite impossible for my Government to contemplate the surrender of the Mosul Vilayet.

I am, &c.
CURZON OF KEDLESTON.

Enclosure in Document A.

Memorandum on Mosul.

THIS memorandum is submitted by the British delegation in order to summarise the reasons for which the demand made by the Turkish delegation for the restoration to Turkey of the Mosul Vilayet cannot possibly be entertained.

These reasons are racial, political, historical and economic. In each case they contradict and destroy the arguments, based on the same considerations, upon which it is understood, from such explanations as have been received, that the Turkish delegation rely in support of their case.

1. *Racial.*

The population of the Mosul Vilayet consists of Kurds, Arabs, "Turks" (Turkomans) and Christians, with some thousands of Yazidis. The number of these various elements may be deduced from two tables of statistics, which were compiled by British officers employed in the vilayet, who partly on horseback, and partly with the aid of the roads made and the motor transport introduced since the British occupation, visited most of the corners of the vilayet in the years after the war. Table I is an estimate made in 1919, in which the population of the vilayet is shown by religions. Table II is an estimate made in 1921 as the result of a close and more prolonged investigation. The population in this table is divided according to race.

The total poulation of the Mosul Vilayet is returned as 703,000 odd in the 1919 estimate and 785,000 odd in the 1921 estimate, the difference being due to an increase in the population in the Mosul plain area, formed by the Mosul plain and the surrounding hills, arising from—

1. The return of large numbers of the population from the Turkish or Arab armies.
2. The return of still larger numbers of families to villages which, owing to the state of starvation resulting from war conditions, had been abandoned before the British occupation.
3. The settlement of a large number of Assyrian refugees.

It was established by these investigations that the whole of the great town of Mosul, the whole of the country north of Mosul on the right bank of the Tigris as far as the boundary of the vilayet, the whole of the country south of Mosul on the right bank of the Tigris, and most of the country south of Mosul on the left bank of that river as far as the Erbil–Kirkuk–Kifri road, is Arab.

As to the "Turks," they are not Osmanli Turks; they call themselves Turkomans, and the Turanian language they speak resembles Azerbaijani rather than the Turkish of Constantinople. They are undoubtedly descendants of Turkomans who came to Irak long before Osman founded the Ottoman Empire, probably from those Turkomans whom the Abbaside Caliphs hired to defend their territory. The theory that the Turkomans are descendants of what was formerly a foreign mercenary garrison is supported by their distribution. Tall Afar, an almost exclusively Turkoman town, stands guard 45 miles west of Mosul on the border of the Syrian desert. Except for this town and the neighbouring Turkoman villages, and for a few scattered Turkoman villages in the Mosul plain, the whole of the Turkoman population is distributed along the eastern road from Mosul to Bagdad, notably in and around the towns of Erbil, Altun Keupru, Kerkuk, Taza Khurmatu, Tauq, Tuz Khurmatu, Kifri and Qara Tepé. The estimates of numbers are:—

Tall Afar and surrounding villages ...	10,000
Villages in the Mosul plain	4,895
	14,895
Kirkuk and surrounding villages... ...	25,000
Kifri, Taza Khurmatu, Tauq, Tuz Khurmatu and Qara Tepé	10,000
	35,000
Erbil and Altun Keupru	15,000
Grand total of "Turks" (the few in the Suleimanieh area being omitted) ...	64,895

The proportion of "Turks" to Arabs can be shown most effectively by the statement that the "Turks" in the whole of the Mosul Vilayet are less numerous than the Arabs in the *town* of Mosul alone.

The Kurds are estimated to be more than twice as numerous as the Arabs in the Mosul Vilayet, and about seven times as numerous as the Turkomans. They are separated from the Arabs by a line which follows roughly the line of Turkoman towns mentioned above and north of that the foothills of the mountains. They are believed to be descended from the Medes, who were so closely identified with the Persians in early times; but whether this is true or not, they speak an Iranian tongue closely allied to Persian and resemble the Persians far more closely than either the Turks or the Arabs.

Of the non-Mahommedan populations, though in the aggregate they outnumber the Turkomans considerably, it is not necessary to speak in great detail. The estimates are :—

Yazidis (probably of Kurdish origin, but holding a non-Moslem belief)	30,000
Christians (mainly Assyrians—some Nestorian, some Catholic)	62,225
Jews	16,865

The main body of the Yazidis live in Jebel Sinjar, but there are many Yazidi villages north-east of Mosul. The Christians are to be found mainly in Mosul city, in the Erbil area, in a string of prosperous villages (of which Al Qosh and Tall Kaif are the largest) to the east of the Tigris, and in the Dohuk–Amadiyah country. Most of the Jews live in Mosul city, but Jewish communities are to be found in the Kurdish and Turkoman towns, and isolated individuals or families among the Kurdish tribes.

The case of the Turkish delegation in so far as it is based on ethnic considerations comes, therefore, to this :—

They ask that there should be united with the Turks of Asia Minor a population consisting as to one-twelfth of Turkomans, with whom they may be admitted to have some racial affinity; as to nearly seven-twelfths of Kurds, who have no more affinity with the Turk, except the possession of a common religion, than have the Chinese; as to three-twelfths of Arabs, who not only differ from the Turks in race and language, but are connected by the strongest bonds of language, race and sympathy with the population of Bagdad and Basra; and as to more than one-twelfth of non-Moslem elements, which, however much they may differ from each other, have not a single bond—racial, linguistic, religious or cultural—with the Turks.

Table I.—Population of the Vilayet of Mosul by Religions according to an Estimate made in 1919.

Division.	Sunni.	Shiah.	Jewish.	Christian.	Other Religions.	Total.
Mosul	244,713	17,180	7,635	50,670	30,180	350,378
Erbil	96,100	...	4,800	4,100	1,000	106,000
Kirkuk	85,000	5,000	1,400	600	...	92,000
Suleimanieh	153,900	...	1,000	100	...	155,000
Total	579,713	22,180	14,835	55,470	31,180	703,378

Table II.—Population of the Vilayet of Mosul by Races according to an Estimate made in 1921.

Division.	Arabs.	Kurds.	"Turks."	Christians.	Jews.	Total.
Mosul	170,663	179,820*	14,895	57,425	9,665	432,468
Erbil	5,100	77,000	15,000	4,100	4,800	106,000
Kirkuk	10,000	45,000	35,000	600	1,400	92,000
Suleimanieh	...	152,900	1,000	100	1,000	155,000
Total	185,763	454,720	65,895	62,225	16,865	785,468

* Including 30,000 Yazidis.

2. *Political.*

The next claim of the Turkish delegation is that the population of the Mosul Vilayet desires to return to Turkey because of its political or historical affinities with Turkish rule. Even if this were true of a majority of the inhabitants of the Turkoman towns who, under Turkish rule, enjoyed a position of privilege by no means warranted by their numbers, it cannot possibly be sustained in so far as the Kurds, the Arabs and the non-Moslem elements of the population are concerned. It is undeniable that the Arabs of Mosul are enthusiastic supporters of the new Irak State and of King Feisal. The result of a plebiscite conducted throughout Irak in 1919 gave an unanimous vote on the point that Basra, Bagdad and Mosul should be united and form one State. Since then, on the arrival of the Emir Feisal in the country, the Mosul Arabs showed quite unmistakably their desire to be connected with the Arab Government at Bagdad and to be under the rulership of King Feisal. They received the Emir with acclamation, they voted unanimously that he should be King, they swore allegiance to him. This latter plebiscite included the whole of the vilayet except the Kurds in the Suleimanieh, Raniya and Rowanduz areas, who, being a compact body of people of an entirely different race and language, obviously required separate treatment. The Arab areas with the Kurdish districts adjacent to them, and the Turkoman towns, all gave their votes, and with the exception of Kirkuk all voted for inclusion in the Irak State and for the accession of Feisal to the throne of Irak.

As to the Kurds, they are a people with a keen sense of nationality, a deep pride in their race and language, and a desire to be as free to manage their own affairs as their pursuit of economic progress will allow.

It is said to be the contention of the Turkish delegation that the Kurds of the Mosul Vilayet are one with the Turks of Asia Minor in aim. Two points may be stated in reply:—

1. It is perfectly well known to people who lived in Irak before the war that communications between Suleimanieh on the one side and Bagdad and Mosul on the other were constantly cut, that Turkish officials appointed to Suleimanieh often waited at Mosul for months before they could venture to set out on their journey, and that when such Turkish officials reached their posts in Southern Kurdistan they were frequently helpless in the face of the determination of the Kurds to brook no interference from the distant Government of Constantinople.
2. The Kurds of the Mosul Vilayet showed, throughout the war, that far from being united with the Turks in aim, they regarded the Turkish quarrel with the *Entente* as none of theirs. The Turkish delegation can be challenged to produce any evidence that the Turkish forces in Irak ever received any assistance from the Kurds against the British. A small Kurdish tribal contingent was present with the Turkish force at Shu'aibah, near Basra, in the spring of 1915. They were present, but they took an insignificant part in the operations; they returned to their homes after the battle; and from that time the Turks got no more help from the Kurds than they did from the Arabs. The Kurds of the Kifri and Kirkuk areas left their homes and lands in great numbers to avoid conscription, and as soon as those areas were occupied by British troops thousands of local Kurds came down from the hills whither they had fled to avoid having to identify themselves with the aims of Turkey.

Finally, there remain the large Christian element (mainly Nestorians and Chaldeans) and the Yazidis. If the claim of the Turkish delegation is weak in so far as the non-Turkish Moslem population is concerned, it is still weaker as applied to these non-Moslem communities. It is to Turkish misrule, active and passive, that the Yazidis attribute the enormous reduction in their numbers which has occurred during the last generation. The Chaldeans remember too well what their co-religionists in the Diarbekir–Mardin–Jazirah area suffered during the war to desire the restoration of the Turkish rule. And finally, the Nestorians, who were driven from the region of Julamerk and the Persian border by Turkish troops during the war, who died in thousands in their flight to Irak, and who have settled in that alien country rather than submit to Turkish rule in their own land, would fight to the death rather than permit the return of their new homes to a people who to them are the symbol of misrule and oppression.

3. *Historical.*

The Turkish contention that the long historical connection of Mosul with the Ottoman Empire justifies their demanding its return would apply with equal force to Bagdad : for, except for insignificant periods when it was under Persian rule, Bagdad was part of Turkey as long as Mosul. Both are Arab towns built by Arabs and maintaining their Arab character, in spite of their long inclusion in the Turkish Empire. In point of fact, the close connection between Mosul and Bagdad was recognised by the Turks to this extent, that the Mosul Vilayet was formerly part of the Pashalik of Bagdad. Even as late as the eighties of the last century, when Midhat Pasha was Vali of Bagdad, Mosul was included in his governorship. The conversion of Mosul into a separate vilayet in Turkey, depending upon Constantinople, was a measure dictated by administrative convenience only.

The argument from history is therefore not one to which importance can properly be attached. It could equally be applied to a demand from Turkey for the return of all the territories and States which she has lost. It would justify the demand by any country for any city or province of which it had been deprived as the consequence of defeat in war.

4. *Economic.*

If we turn to the economic argument, it is the weakest of all. The economic relations of the Mosul Vilayet are entirely with Bagdad and with the Arab city of Aleppo, both of which cities the National Pact itself leaves outside the boundaries of Turkey. If we take the three chief towns in the vilayet, viz., Suleimanieh, Kirkuk and Mosul, the exports of Suleimanieh all go to Bagdad, whence all its requirements in foreign goods are obtained in exchange; Kirkuk lives mainly on the carrying trade between Bagdad on the one hand, and Mosul and Suleimanieh on the other, and its prosperity depends on the maintenance of the connection between the three; as for Mosul, which, being nearest to Turkey, should present the most favourable case for the argument of the Turkish delegation, it is notorious that the trade of Mosul is almost entirely down-river with

Bagdad and across the desert with Syria. The imports of the vilayet are piece goods, tea, sugar and coffee. Not one of these is produced in Turkey or could even be obtained through Turkish territory except with great difficulty and by diverting trade from routes which it has followed for centuries. As to the exports, the principal are grain, wool and hides, and tobacco, and the smaller but still important exports are timber, gum-tragacanth and gall-nuts. Every ounce of the tobacco grown, except the relatively small quantity needed for local consumption, goes to Bagdad and is consumed in the Bagdad and Basra Vilayets; the surplus grain of the Mosul Vilayet goes to feed the people of Bagdad, and the timber to build houses in Bagdad. The wool, the hides and the gum, and the gall-nuts which are an important ingredient in the manufacture of European ink, go entirely to foreign countries. How could Mosul dispose of grain, wool or hides in Turkey, when Turkey itself is a large producer of all these products; or of tobacco in a country which has large tobacco producing areas of its own? Bagdad is dependent on the Mosul Vilayet for its wheat supplies to such an extent that during the war, when the two vilayets were separated by military operations, the British military authorities had to import wheat from India to feed Bagdad city and district. A striking instance of the manner in which economic considerations cut across ethnic boundaries is the fact that the Erbil–Altun Keupru district, which is partly Turkoman as to the towns and mainly Kurdish as to the agricultural areas, lives almost entirely on supplying Bagdad with grain. It is hardly an exaggeration to say that if the country north of the existing boundary between Turkey on the one side, and Syria and Irak on the other, ceased to exist, the economic life of the Mosul Vilayet would hardly be disturbed at all. Irak, as it is, can do without Turkey, but Mosul is indispensable to Bagdad.

5. *Strategic.*

It is further urged by the Turkish delegation that the southern boundary of the Vilayet of Mosul, which runs along the Jabal Hamrin in a south-easterly direction as far as the River Diyalah, and then along the Diyalah as far as the Persian frontier, would constitute an excellent strategical frontier between Turkey and Irak. This contention cannot be accepted for one moment. The adoption of the Jabal Hamrin–Diyalah line would in fact make the position of the Irak State untenable. In the first place, the Power occupying Mosul need only hold up the export of grain from that place to cut off the capital of Irak from its main source of wheat supply. Secondly, a day's easy march would enable any such Power to cut the sole road between Irak and Persia, a road which is vital to the economic life of Bagdad and Basra, whose people live very largely on the Persian trade. Thirdly, the position of an Arab Government in Bagdad, which is some 560 miles by river from the southern limit of the Irak State, would be quite impossible if the frontier of a possibly unfriendly State were only 70 miles distant. Lastly, there appears to be no particular reason why the Arab State of Irak, or

Great Britain as the Mandatory Power, should hand over to the Turkish Government a place where it might think fit to maintain an army corps as a menace to the surrounding regions.

6. *The National Pact.*

Lastly, it has more than once been stated by the Turkish delegation that their claim for the recovery of the Mosul Vilayet, or at any rate of Mosul town, is supported by the first article of the National Pact, passed by the Turkish Chamber of Deputies on the 17th February, 1920. It can easily be shown that this is not the case. The article reads as follows :—

> "Inasmuch as it is necessary that the destinies of the portions of the Turkish Empire which are populated exclusively by an Arab majority, and which on the conclusion of the armistice of the 30th October, 1918, were in the occupation of enemy forces, should be determined in accordance with the votes which shall be freely given by the inhabitants, the whole of those parts, whether within or outside the said armistice line, which are inhabited by an Ottoman Moslem majority, united in religion, in race and in aim, imbued with sentiments of mutual respect for each other and of sacrifice, and wholly respectful of each other's racial and social rights and surrounding conditions, form a whole which does not admit of division for any reason in truth or in ordinance."

In the first place it is both a novel and a startling pretension that a Power which has been vanquished in war should dictate to the victors the manner in which they are to dispose of the territories which they have wrested from the former. It would be interesting to know if a single instance can be found in history in which the Turks, having conquered any territory by force of arms, have ever encouraged the vanquished to demand a plebiscite in the area in question or have expressed a willingness to abide by the result of such a vote.

But let us examine the argument a little more closely in reference to the present case. The first proposition of the article is that the plebiscite is to be held in areas "populated exclusively by an Arab majority." It is difficult to understand how any area can be populated exclusively by a majority since the existence of a majority implies the existence of minorities also. But further it is the contention of the Turks themselves that the Arabs are not in a majority in the Mosul Vilayet, but that they are outnumbered by the other elements in the population, viz., Kurds and Turks; and that this is the case is shown by the figures of the second table to which reference has been made, and which reveal a total of 454,720 Kurds and 65,895 Turks or Turkomans, as compared with 185,763 Arabs. Therefore, if the Turks are to claim a plebiscite, it would seem that their argument does not admit of its being applied to the Mosul Vilayet, because the Arabs are not in a majority there.

But, thirdly, supposing the argument to apply to the entire area, irrespective of majorities or minorities, it has already been pointed out that such a plebiscite has already twice been held, and that on each occasion it has resulted in a verdict hostile to the Turkish claim. In 1919 the inhabitants of the Mosul Vilayet voted unanimously in favour of continued incorporation with Bagdad and Basra. In 1921 the whole of the Arabs, the Kurds of the adjacent districts and the whole of the Turkomans (with the exception of Kirkuk) voted again for inclusion in a State of Irak, and chose the Emir Feisal as their King.

But the article in the Pact introduces another and still more fantastic distinction. According to it, only those portions of territory which were occupied by enemy forces on the 30th October, 1918, are to be allowed thus to decide their destinies. On that day the British forces were about 30 miles distant on the south from Mosul, which they entered immediately afterwards. We are thus led to this absurd result that the Arabs who live in the entire territory south of the armistice line are to be invited to dispose of their fate four years later by plebiscite, while the Arab population of Mosul town itself, who form more than one-third of the Arab population of the whole vilayet, are to be deprived of that right. The case has only to be stated to demonstrate the absurdity of such a claim. It is perhaps unnecessary to add that armistice conditions have nothing to do with the provisions of peace treaties, and that no European peace treaty made since the armistice of 1918 has attempted to follow the lines of occupation laid down in the armistice which preceded them.

Finally, a claim, equally untenable and even more incomprehensible, is put forward in the second half of the article, which reads: "The whole of those parts, whether within or outside the said armistice line, which are inhabited by an Ottoman Moslem majority, united in religion, in race and in aim, imbued with sentiments of mutual respect for each other and of sacrifices and wholly respectful of each other's racial and social rights and surrounding conditions, form a whole which does not admit of division for any reason in truth or in ordinance." It may be remarked in passing that the word "Ottoman" is not easily understood in this context. The sympathy which unites Moslem peoples is generally recognised; it it a matter of religion; but it is difficult to appreciate what unity of race can link together Semitic Arabs, Iranian Kurds and Ural-Altaic Turks, or why the fact that they have once been forced to submit to Ottoman rule should bind them to remain in the Ottoman Empire for all time. In fact, the Turkish Government and the Turkish people are apparently ready at one moment to concede the free determination of their future destinies to the Arab peoples, and at the next moment to demand that territories inhabited by an Ottoman Moslem majority—a phrase which, if it means anything at all, applies equally to the Kurdish, Turkish and Arab populations of the former Turkish Empire—should not be divided "for any reason in truth or in ordinance."

It would appear, therefore, that the claim for the restoration to

Turkey of the Mosul Vilayet is not only prohibited by the considerations, racial, political, historical and economic, which have been enumerated in the earlier part of this memorandum, but that it is quite inconsistent with any interpretation that can possibly be applied to the first article of the National Pact.

Lausanne, December 14, 1922.

Document B.

Ismet Pasha to the Marquess Curzon of Kedleston.

(Translation.)

Dear Lord Curzon, *Lausanne, December* 23, 1922.

At each one of our meetings I have had the honour of explaining to your Lordship the irrefutable arguments on which I have based my case for demanding the restoration of the Mosul Vilayet to Turkey. In the same way as I have on each occasion listened with the closest attention to the considerations which you have been good enough to set forth on this subject, I have carefully studied the memorandum regarding the Mosul question which you were recently so good as to communicate to me.

I have no doubt that the memorandum in reply which I have the honour to transmit to your Excellency herewith, constitutes a convincing answer to the arguments put forward in support of the British point of view.

I should like to add that the Turkish Government cannot for a moment consider abandoning its sovereign rights over Mosul, which forms an integral part of the Turkish mother country.

I am, &c.

ISMET.

Enclosure in Document B.

Reply to the British Memorandum regarding the Mosul Question.

Basing themselves on a series of perfectly just considerations, the Turkish delegation insist on their assertion that the Mosul Vilayet belongs to Turkey.

The reasons on which our demand is based are the following :—

I.—*Reasons of an Ethnographic Character.*

The stationary population of the Mosul Vilayet amounts to 503,000 persons ; to these must be added nomadic Kurdish, Turkish and Arab tribes including about 170,000 persons.

These tribes change their quarters according to the seasons and even at certain periods of the year leave the Mosul Vilayet. It is therefore impossible to determine their number with any exactitude. According to their needs they pass the different seasons of the year in the districts of Bagdad, Nejef, Mosul, Zor, Diarbekir and even on the tablelands of Iran; it is for this reason that it is not possible, either, to consider them as forming an effective part of the population of the Mosul Vilayet.

The 503,000 persons who form the stationary population of the Mosul Vilayet consist according to the latest Turkish statistics of the following:—

——	Kurds.	Turks.	Arabs.	Yazidis.	Non-Moslems.	Total.
Sanjak of Suleimanieh	62,830	32,960	7,210	...	...	103,000
Sanjak of Kirkuk ...	97,000	79,000	8,000	...	...	184,000
Sanjak of Mosul ...	104,000	35,000	28,000	18,000	31,000	216,000
Total for the Mosul Vilayet ...	263,830	146,960	43,210	18,000	31,000	503,000

This table shows—

That the Arab element is insignificant in the Sanjaks of Suleimanieh and Kirkuk;

That in the central Sanjak of Mosul there are only 28,000 Arabs as against 139,000 Turks and Kurds; and

That in the whole of the Mosul Vilayet, against 410,790 Turks and Kurds, there are 43,210 Arabs and 31,000 non-Moslems. More than four-fifths of the population of the vilayet therefore consist of Turks and Kurds and less than one-fifth of Arabs and non-Moslems.

The Arabs of the Mosul Vilayet live almost entirely at Gayara, to the south of the line of Sinjar and on the right bank of the Tigris. With the exception of a narrow band of territory stretching from Fethie (situated between the Jabal Hamrin and the Jabal Fuhul) towards Kirkuk, the region situated to the left of the Tigris is entirely peopled by Kurds and Turks.

In the city of Mosul the Turkish, Kurdish and Arabic languages are all spoken; those of the inhabitants of this city who at present speak Arabic and who are taken for Arabs are in reality Turks who, having long been in continual contact with Kurds and Arabs, have also learnt those two languages.

Those who are acquainted with Irak affairs know that the population of Mosul has never up till now considered itself as being Arab or as forming part of the population of Irak.

The British memorandum admits that the town of Tall Afar is a Turkish town, and that there is a large group of Turkish villages round Mosul. It is in fact the case that the nahieh of Cheihan, which depends on Mosul and includes sixty-eight villages, and that of Ashar Seba, which includes seventy-eight, are populated entirely by Turks, and that the nahieh which depends directly on Mosul and includes seventy-seven villages, is populated by Turks in a great majority.

The existence all round Mosul of villages bearing purely Turkish names such as Kara-Kuyunlu, Kara-Ali, Ketchi-Hane, Narin-Keupru, Buyuk-Keushk, &c., is a further proof of what has just been stated.

The Yazidis are Kurds by race and have the same habits and customs as the latter; the only difference between them is one of religious sect, which can obviously furnish no pretext for making a distinction. The same situation exists, for that matter, among Christian peoples; no one, for instance, would dream of considering persons of the same race, some of whom happened to be Catholics and others Protestants, as forming part of different racial groups.

As regards *the Turks* of the Mosul Vilayet, we would say that the difference which it is sought to establish between them and the Anatolian Turks, by calling the former Turkomans, has no foundation; in fact that such an opinion is quite indefensible. It is stated in the British memorandum that the Turkish language spoken at Mosul is not identical with that spoken at Constantinople; but is there in Anatolia a single spot where the same Turkish is spoken as in Constantinople? On the other hand the dialect used by the Mosul Turks is the same as that spoken in Anatolia; the difference between them is less than that which exists between the French spoken in the north and that spoken in the south of France. It is, for that matter, natural enough that in different parts of a country the same language should present certain variations.

In connection with the alleged difference between Turks and Turkomans, we consider it superfluous to embark in this connection on historical considerations; it is enough for us to state that the Anatolian Turks are Turkomans and that these two words mean one and the same thing.

Contrary to the assertions contained in the British memorandum, the Kurdish people are not of Iranian stock, but on the contrary are of Turanian origin. This opinion is now almost unanimously held by all historians who have dealt with the question. It has in fact been established that a people of Turanian origin, named "Gudu," inhabited in the remotest times of history the mountains which dominate Assyria, that this people was extremely warlike and that its name, which meant "warrior," was translated into Assyrian by the word "Gardu" or "Kardu," whence is derived the word "Kurd."

The cuneiform chronicles often speak of the "Kardus," whom they put on an equal footing with the Syrians, Hittites, Susans, Elamites, Akkadians, &c.

The above racial considerations suffice to prove that the Mosul Vilayet must return to Turkey.

The presence in the interior of this vilayet of a certain number of Arabs dwelling on the right bank of the Tigris can be counterbalanced by the existence in Irak, and outside that vilayet, of a numerous Turkish population and numerous villages inhabited by Turkish elements.

Should it be desired to base the claim for the union of the province of Mosul with Irak on the presence of the Arabs, we could, with no less reason, invoke the presence of Turks in the Arab Vilayets, and especially in the Vilayet of Bagdad, in order to demand the annexation of those territories to Turkey.

II.—*Political Reasons.*

The Turks and Kurds, who constitute the great majority of the population of the Mosul Vilayet, are firmly determined to obtain the union of their countries to Turkey; no doubt is possible on this point.

This is proved by the fact that the inhabitants of the sanjaks of Suleimanieh and of Kirkuk refused to vote in favour of their annexation to Irak, and by the fact that when the population of Mosul and its surrounding country is in a position to express its wishes freely, it will be seen that it is not anxious for union with Irak either.

If, of the inhabitants of the eighteen kazas which constitute the Mosul Vilayet, only the minorities in the town of Mosul were able, either owing to the violent pressure which was exerted on them, or else for reasons of personal interest, to vote for Irak, it is clear that this vote of a small minority cannot in any case serve as a reason for determining the fate of the whole population of the Mosul Vilayet.

As regards the aspirations of the Kurdish people, the Turkish delegation have the honour to declare that the Kurdish population is united to the Turkish people in all respects, and more especially in regard to race, religion, manners, usage and customs. These two peoples have decided to live a common life and to keep their destinies united. If their history be studied, it can be seen that the Kurds passed under Turkish administration of their own free will, and have for centuries united their fate to that of the Turks.

All the leaders of the Turkish army who took part in the great war and in the war of independence have proclaimed their respect and admiration for the services rendered and the sacrifices made by the Kurdish people for the safety of their country.

Above all, in the struggle against the Sultan and the Government of Constantinople which has now disappeared for ever, in the defence of the different Anatolian fronts which were attacked by our enemies, and in the offensive which resulted in the annihilation of the Greeks, the Kurds worked in perfect unity with the Turks for the attainment of an identical end and the pursuit of a single ideal.

The Government of the Grand National Assembly of Turkey is the Government of the Kurds just as much as it is that of the Turks.

The true and legitimate representatives of the Kurds sitting in the Grand National Assembly proclaim that they consider it one of their vital interests that their brethren, who remain outside the territories at present administered by the Turkish Government, should be reunited to Turkey.

Quite recently, when attempts to pass to the Turkish side were made by Kurdish levies enrolled by the Government of Irak, the lack of loyalty of these detachments was announced in British official communiqués.

The efforts made by squadrons of bombing aeroplanes to weaken the attachment which the population of the Mosul Vilayet displayed towards Turkey are enough by themselves to demonstrate how strongly that population is attached to its mother country.

Before concluding this part of our statement we wish also to say a word or two regarding the Nestorians, the Assyrians and the Chaldeans.

At the time of the invasion of the Vilayet of Van by the armies of Tsarist Russia, the Nestorians acted in so treacherous a fashion towards their compatriots, with whom they had lived in tranquillity for centuries, and so greatly exceeded in cruelty the invaders themselves, that upon the departure of the latter they considered it impossible to live any longer with the Turks and Kurds, and left together with the Russians.

As regards the Chaldeans and especially the Assyrians of the Vilayet of Diarbekir, as they never allowed themselves to be influenced by incitements from abroad, they continue to live in perfect understanding with their Turkish compatriots.

III.—*Historical Reasons.*

The historical reasons which militate in favour of the reunion of the Mosul Vilayet with Turkey do not date only from the Ottoman period; had they done so, our arguments would have applied equally to the Bagdad Vilayet, as well as to the other vilayets which we have lost, and the reasoning of the British memorandum in this respect would have been justified.

The Mosul Vilayet, and even the region extending down to the north of Bagdad, have been in the hands of the Turks for over eleven centuries.

At the time of the Abbasid Caliphs, these countries were in the hands of Turkish Governors and soldiers, and of a Turkish population. These Turkish Governors enjoyed complete independence and sovereign rights; the first of them was Itah (A.H. 229); among them Kir-Boga and Ak-Sungur distinguished themselves by the monuments of art and public utility which they set up.

Imad-el-Din Zengui, the son of Ak-Sungur, one of the Governors mentioned above, founded in Mosul the Turkish State of the Ata-Beys.

There were also Turkish States, where members of the dynasty of the Ata-Beys ruled, at Sanjar and at Jazirat-ibn-Eumer, the region which forms the western portion of Mosul.

Later, the dynasty of the Artiks founded Turkish States at Mosul, at Jazirat-ibn-Eumer, at Kharput and at Mardin. Tall-Keif, situated near Mosul, was one of the principal fortresses of the Artiks, and El-Gazi-Khan, a Sovereign of this dynasty, destroyed at Tall-Afar a large force of Crusaders.

There are to be found in these regions numerous monuments of art and public utility which these Sovereigns caused to be constructed, some of which are in ruins; there are also to be found in museums numerous coins which they caused to be minted.

After these dynasties the Seljuk Turks made themselves masters of Mosul; they considerably embellished and increased it, and made the town the centre of a high civilisation. It was only after the Seljuk Turks that the Osmanli Turks ruled over these countries.

As will be seen, this region has continuously been owned and governed by Turks for eleven centuries.

The territory between Bagdad and the south of the present frontier of the Mosul Vilayet is described in ancient historical works under the name of Tataristan, which proves that a Turkish tribe had settled there. Traces may still be found of this appellation in the valley which is described in the maps under the name of Wadi Tatar.

The British memorandum declares that Mosul was united to Bagdad at the time of Midhat Pasha; it should be noted that this temporary union was due to certain considerations of a personal and administrative character. Moreover, at this period the regions of Urfa and Diarbekir had also been placed temporarily under the administration of the Vali of Bagdad, Midhat Pasha.

The fact that in the past Mosul may have been in this way temporarily united to Bagdad cannot be considered to-day as a sufficient reason for the determination of its fate.

IV.—*Geographical Reasons.*

The Mosul Vilayet is not included in the Irak-i-Arabi; it forms part, on the contrary, of Al-Jazirah. Both geography and history leave the region of Mosul entirely outside Irak.

Neither does Mosul form part of Irak from the point of view of climate; the fact that no date palms are found north of the line Kefri–Tekrit supports this contention. The frontier which separates Anatolia from Irak is the line of the Jabal-Hamrin–Jabal-Fuhul–Jabal-Sanjar.

To the north of this line the Mosul Vilayet presents the same climatic conditions and the same geological forms as Anatolia, while in these respects the Bagdad Vilayet differs completely from that of Mosul, as well as from Anatolia.

V.—*Economic Reasons.*

The economic and commercial relations of Mosul with Southern Anatolia, and particularly with the regions of Diarbekir, Van and Bitlis, are in any case far more important than its economic and commercial relations with Bagdad. Moreover, the only commercial route which unites the south of Anatolia with Persia passes through Mosul.

Those who know this country are aware that, contrary to the assertion contained in the British memorandum, the timber used for building purposes in Bagdad does not come from Mosul, but from Diarbekir. Moreover, the quantity of grain which Mosul buys from Diarbekir at a low price in order to sell it again in Bagdad for a higher one exceeds the quantity of grain exported from Mosul to Bagdad direct. Further, the economic relations between Suleimanieh and Van are extremely important, and Mosul exports to Anatolia a great quantity of cattle, especially buffaloes.

The town and Vilayet of Mosul have a considerable importance from the point of view of commercial relations and communications, owing to the fact that they are situated at the crossing of all the routes which connect Anatolia, Syria, Irak and Persia.

Another fact to which we wish to draw attention is that, at the present time, as a result of the construction of the Bagdad Railway, on which Turkey has spent so much, the Mosul region has become from the economic point of view more closely united than ever to Anatolia.

For the same reason Mosul has become more closely connected at the present day with the ports of the Mediterranean than with those of the Persian Gulf. It is hardly necessary to explain that, from the point of view of facilities of outlet, and of the commercial advantages which they present, the Mediterranean ports are far preferable to those of the Basra region.

VI.—*Military Reasons.*

The city and region of Mosul lie, as we have explained, at the crossing of the routes which come from the districts of Suleimanieh, Kirkuk, Van, Bitlis, Diarbekir, Siird, &c. Easy and natural communications between the different parts of Southern Anatolia can therefore only take place by passage through Mosul.

Moreover, the word Mosul means connection or union.

Without the city of Mosul the connection of the regions of Suleimanieh and Kirkuk with the mother-country would be impossible, and, from the point of view of the security of the southern parts of our country, the possession of Mosul is indispensable.

We suggest the line of the Jabal-Hamrin–Jabal-Fuhul and Jabal-Sanjar as the frontier between Anatolia and Irak because that line constitutes, apart from the racial, geographical, political, and other considerations which we have just indicated, a precise and natural line of demarcation between these two regions.

The argument that that frontier will threaten Bagdad and the communications between Bagdad and Persia cannot seriously be invoked in regard to the delimitation of a frontier; moreover, the Persian frontier is as near to Bagdad as the line which we propose. It is well known, besides, that a great number of States have their capitals or important cities situated on or near to their frontiers. If arguments of this nature were to be taken into consideration, it would be necessary for us, in order to preserve Constantinople, to close the Straits to foreign ships of war; we may also add that in the past, when there were Turkish Sovereigns in Mosul, a different Government existed in Bagdad.

While we are being refused a small section of territory round Adrianople, which is a historic town of such great importance to us, it is not just that we should be told, as though it were a valid argument against our claims in regard to Mosul, that our frontier, if brought to within 70 miles from Bagdad, constitutes a menace to that city.

VII.—*The Turkish National Pact.*

It is impossible that a people should cease to interest itself in any way in the destinies of the population of a territory which it has lost as the result of a war.

It was for this reason that we were under the moral obligation to say that the districts inhabited by an Arab and Moslem majority, which were under foreign occupation at the time of the conclusion of the armistice, were free, in accordance with Wilsonian principles, to dispose of their own destinies. On the other hand, we had a natural right to demand the restoration of regions inhabited by a Turkish majority, which had fallen under foreign occupation.

It is further evident that the occupied territories continue and will continue legally to belong to us until we have given them up.

As regards the Mosul Vilayet, it was preserved from foreign military occupation until the conclusion of the armistice, and was, without any right, partially occupied, like many other regions of Turkey, only after the suspension of hostilities. As in the case of Adana, Smyrna, Constantinople, Urfa, Aintab and Eastern Thrace, which all fell under foreign occupation, the people of Turkey is equally determined to employ, to the utmost limit of its power, all the means it possesses to obtain the return to the mother-country of the Mosul Vilayet. It has therefore drawn up its National Pact accordingly.

The Turkish nation cannot in any circumstances agree that, as a result of the presence of a small Arab minority in the province of Mosul, its Turkish and Kurdish brethren, constituting the majority of the population of that vilayet, should remain outside Turkey.

Conclusion.

The racial, political, economic, geographical and military reasons enumerated above suffice to prove that the Mosul Vilayet forms an integral part of Turkey.

The vilayet was occupied after the armistice contrary to all justice.

The maintenance under a foreign occupation of the Turkish and Kurdish majority of this vilayet constitutes a grave menace for our future friendly and neighbourly relations, as well as for peace itself, for the obtaining of which the Turkish people and the whole world have made such great sacrifices.

On the other hand, if the town of Mosul should remain outside the frontiers of Turkey, the result would be, apart from all the other considerations which we have urged, to leave Southern Anatolia exposed to serious danger and to hinder the communications between the different parts of our country.

For all these reasons the Turkish delegation are convinced that their demand in regard to the Mosul Vilayet is completely justified.

Document C.

The Marquess Curzon of Kedleston to Ismet Pasha.

Dear Ismet Pasha, *Lausanne, December* 26, 1922.

I HAVE given careful study to the detailed statement which you sent to me on the 23rd December with regard to the Mosul Vilayet; and I must be permitted to say that while the greater part of the arguments contained in my memorandum of the 14th December remain—even after your prolonged examination of them—untouched and unanswered, the reasons which you now adduce, and which I should be quite willing to submit to the public judgment, do but confirm my opinion that no case whatever can be made out—even on the grounds which have been selected by your Excellency—for the surrender by the British Government of the Mosul Vilayet.

Will you allow me, however, to put the case before you—apart from those particular arguments—in a way which will admit of no further misunderstanding?

The British Government, which had been forced into war with the Turkish Government by the unprovoked action of the latter in 1914, ultimately defeated the Turkish forces and expelled them from the entire area of Irak and far beyond.

Those territories have ever since been occupied by British forces, and were for some time administered by British officials.

In the course of the war the British Government entered into a definite and honourable pledge to the Arab inhabitants of those regions to free them from Turkish rule, and at the earliest possible date they took steps to inaugurate an Arab administration.

They accepted at San Remo in April 1920 a definite mandate under the League of Nations (which the Turkish Government has now intimated its intention to join), and in accordance with article 22 of the Covenant, for the Irak State.

As regards the Kurds in particular, the draft mandate for Irak, which has been published, stipulates that "nothing in this mandate shall prevent the mandatory from establishing a system of local autonomy for predominantly Kurdish areas in Irak as he may consider suitable." I have not found anything in the statement of the Turkish delegation that would lead me to think that your Government contemplates any more liberal régime for the Kurdish populations still remaining in Turkey.

More recently still His Majesty's Government have signed a treaty with the freely elected King of Irak, the Emir Feisal. This treaty contains a clause that no territory in Irak shall be ceded or leased or in any way placed under the control of any foreign Power.''

This chain of events constitutes an obligation which no Government possessing the least self-respect can honourably ignore, and from which His Majesty's Government certainly have not the slightest intention to recede. That position is confirmed at every point by the local considerations which your challenge has fortunately enabled me to adduce.

In these circumstances I should merely be deceiving your Excellency and the Turkish delegation if I led you to think that any prolongation of this controversy could make any difference whatever in the attitude which I have felt it my duty to assume.

As I told you, however, at our first meeting on the subject, I shall be prepared at any time to instruct my experts to discuss with yours the precise *tracé* of the northern frontier of the Mosul Vilayet, which will constitute in the treaty the future boundary between Turkey and Irak. Time is slipping by, and the sooner this subject is discussed in the most friendly spirit the better.

I am, &c.

CURZON OF KEDLESTON.

Enclosure in Document C.

Counter Reply to the Memorandum of the Turkish Delegation concerning the Question of the Vilayet of Mosul.

THE memorandum of the Turkish delegation, far from being convincing, only provides fresh support to the contention that the Mosul Vilayet is naturally and must remain a part of the mandatory area of Irak. Many of the Turkish arguments are disposed of by the previous British memorandum, dated the 14th December. Nevertheless they have again been given full consideration.

1. *Racial.*

Although the Turkish Government ruled the Mosul Vilayet for many centuries, no correct Turkish map of the vilayet exists, nor, so far as the British delegation are aware, are there any pre-war statistics on a racial basis collected by the Turkish Government. On the other hand, British officers during the last few years have made accurate maps of the whole area and have visited every corner of it. The British delegation have, therefore, good reason for thinking that their statistics are more likely to be accurate than those of the Turkish delegation, which, it may be noted, bear no date. The British figures for Kurds do not include those Persian Kurds who simply pass part of their time in Irak. As to the nomad and semi-nomad Arab tribes, the area to which they belong is perfectly well known. Only Arabs of the Mosul Vilayet are included in the British statistics.

The nature of the Turkish statistics can be illustrated by reference to the figures given by the Turkish delegation for the Suleimanieh "liwa." The Turkish delegation state (1) that there are over 7,000 Arabs in this area, whereas not even the most ardent Arab patriot claims that it contains any Arabs at all; and (2) that the Turks are half as numerous as the Kurds, although every traveller knows that to meet a Turk among the Suleimanieh Kurds is almost as rare as it will presently be to meet a Greek in Anatolia. But still more open to question is the Turkish statement that there are only 28,000 Arabs in the Mosul "liwa," when it is notorious that Mosul town alone contains twice that number of Arabs. Apart from the intimate knowledge gained by British officials during the last few years, Mosul was well known to travellers before the war as one of the great Arab towns; yet we are asked to believe that a population who, with insignificant exceptions, talk only Arabic and call themselves Arab, are really Turks who happen to have learned Arabic. This argument is on a par with that in which the Turkish delegation attempt to establish the Turkish character of an area by referring to the Turkish names of some of the villages, forgetting that in the preceding paragraph they had claimed as Turkish an area bearing the purely Arab name of Ashair Saba. By a similar process of reasoning it might be demonstrated that Diarbekr and Marmurat-al-Aziz are Arab towns and that Constantinople, Adrianople, Konia and Angora are Greek cities, an argumentation that would probably not be welcome to the Turkish delegation.

Further, the Turkish contention that Mosul town is Turkish is confuted by a map (Carte éthnographique de l'Empire ottoman) which was produced by Bekir Sami Bey as an official map during the negotiations in London in March 1921. This map, though it indicates as inhabited by Turks and Kurds rather more territory than is actually occupied by those two races, nevertheless supports fully the claim put forward in the British memorandum of the 14th, viz., that the whole of the great town of Mosul, the whole of the country north of Mosul on the right bank of the Tigris as far as the boundary of the vilayet, the whole of the country south of Mosul on the right bank of the Tigris, and most of the country south of Mosul on the left bank of the Tigris as far as the Erbil–Kirkuk–Kifri road, are Arab.

Unable, even with the aid of the contentions which have been demolished in the preceding paragraphs, to show that there is a Turkish majority in the Mosul Vilayet, the Turkish delegation then proceed to reinforce their case by the astounding claim that the Kurds and the Turks are of the same stock. The Turkish delegation can hardly expect credence for such a claim in face of a people who speak an Iranian tongue closely allied to Persian, whose national customs are unlike those of the Turks, who in particular differ from the Turks in their attitude to women to such an extent that the theory of the different origin for the two races could almost be established by that difference alone, and who present in physical appearance so striking a contrast to the Turks that a traveller in any area where the population is mixed can tell merely by looking at the faces of the people whether a particular village is Turkish or Kurdish. But it is enough to say that for this theory there is no historical or other evidence of any weight, and that it is one which the Kurds themselves would reject with scorn.

The British delegation therefore maintain the claim put forward in their previous memorandum, that the only element of the population of the Mosul Vilayet which can be said to be connected with the population of Anatolia by racial affinity is the Turkoman, which numbers only one-twelfth of the total population.

2. *Political.*

Even if it were admitted that the small "Turkish" minority of the Mosul Vilayet would be glad to return to the rule under which they enjoyed so many unfair advantages, the British delegation deny categorically that this view is shared by any other element. The views of the Christians and the Yazidis are so well known that no further argument on this point is required. As to the Arabs, the British delegation not only repeat that these have unanimously voted for inclusion in the Irak State, but maintain that after the exploits of the Arabs during the war and the setting up of an Arab State in Irak with an Arab King at its head, no Arab would hesitate for a moment in preferring to remain a subject of that State rather than return to a rule which did not even recognise the Arab tongue as an official language.

It is regretted that the Turkish delegation have misinterpreted certain admissions which the British delegation, in the desire to be perfectly just and fair, included in their previous memorandum. The people of the Suleimanieh area did not refuse to vote for inclusion in Irak. When the vote regarding the Emir Feisal was taken, they were not asked to vote because, as the previous British memorandum stated, "being a compact body of people of an entirely different race, they obviously required separate treatment." The people of Suleimanieh have always recognised that their fate is bound up with that of Bagdad, which is practically their sole economic outlet.

The statement that "only the minorities of the town of Mosul . . . . voted for Irak," whether it purports to be based on the British memorandum or on other information, is without any foundation in fact. As the British statement on this point has been disregarded, it is desirable to repeat it in greater detail. The proposal that the Mosul Vilayet should be connected with the rest of Irak and should be placed under the rulership of the Emir Feisal as King was supported by the whole of the Mosul "liwa" (Zakho, Dohuk and Agrah included), by the Erbil "liwa," and by the Kifri portion of the Kirkuk "liwa." The amount of "pressure" brought to bear may be estimated from the well-known fact that a deputation from Kirkuk which visited Bagdad could elicit from the High Commissioner no reply to their enquiry as to the wishes of His Majesty's Government regarding the plebiscite, except the unvarying statement that they were free to do as they wished—a statement which the people of Kirkuk acted upon with absolute freedom. It may be admitted, however, that there is good foundation for the contention that many of those of the inhabitants of the Mosul Vilayet who voted for inclusion in Irak were actuated by self-interest. It is the basis of the British case that it is to the advantage of every inhabitant of the Mosul Vilayet to find himself within the boundaries of the mandatory area, rather than to be united to a race which from the time when the Tartar hordes destroyed the ancient irrigation system of Babylon has never done Irak any good.

In regard to the Turkish element, the Turkish delegation put forward a number of arguments. Perhaps the most curious is its representation of the bombing of Rowanduz and other places to which Turkish troops had penetrated as an attempt to weaken the attachment of the population to Turkey. On the other hand, the Turkish delegation pass over in silence the two important considerations adduced in the previous British memorandum, viz.: (1) that in point of fact the Turkish Government was rarely or never in effective control of Southern Kurdistan, and (2) that the Kurds of Southern Kurdistan gave the Turkish Government no help during the great war. If such general considerations as those now adduced by the Turkish delegation are to be admitted, it is legitimate to recall that the Turkish Government had constant trouble with the Kurds in the Dersim and other areas; that in 1914 there was a serious Kurdish revolution in Bitlis, which was put down with difficulty; and that many Kurdish chiefs and their sons were exiled to Constantinople for years at a time lest the spirit of Kurdish nationalism should concentrate around them and break out in revolt against Turkish rule.

The Turkish delegation quote the Kurdish representatives in the Angora Assembly as demanding that the Kurds of Southern Kurdistan (among others) should be united with Turkey. Since it is obvious that no elections to the Angora Assembly were ever held in Southern Kurdistan, the opinion quoted has no value in respect of the Suleimanieh "liwa." In any case, it is open to anyone to form an independent judgment as to whether the Southern Kurds would prefer to accept an arrangement which, while connecting them with their market and supply centre, Bagdad, leaves them free to use their own language, to be governed by their own tribal leaders and officials, and to develop their native institutions, or to be placed under a Government whose representatives can find nothing to say to their national demands except that all Kurds are Turks.

3. *Historical.*

The British memorandum dealt very briefly with this consideration on the ground that "the argument from history . . . . would justify the demand by any country for any city or province of which it had been deprived as the consequence of defeat in war." But if —for the sake of argument—the Turkish delegation's historical survey is accepted, it only supports the British case. The Turkish delegation will not deny that Mosul was built by Arabs and was an Arab town when the "Turkish" rulers first occupied it; and the claim is made that the Kurds were in possession of Kurdistan long before that date. Then followed, it is said, eleven centuries of Turkish domination. This domination was removed a few years ago, and it was found that the population was mainly, as it had been eleven centuries before, Arab and Kurdish, that it had neither been replaced by Turks nor assimilated to the Turks either in race or in language. A more striking proof of the artificial character of the connection of the Mosul Vilayet with the Turkish Empire it would be hard to find.

4. *Geographical.*

This argument, now raised by the Turkish delegation for the first time, leads nowhere. The Mosul plain, with its long, hot, rainless summer, its snowless winter, and only 13 inches of rain in the year, differs more from Anatolia proper than it does from Bagdad. But it would be possible to prove or to disprove anything by assuming that Anatolia, parts of which are many feet deep in snow for some months of the year while others are so hot that cotton can be grown, is a single geographical unit.

5. *Economic.*

It is a matter for regret that this important aspect of the case, which was treated in great detail in the earlier British memorandum, should have been dealt with by the Turkish delegation in so inadequate a fashion.

The British memorandum stated that the possession of the Mosul Vilayet is essential for the food supply of Bagdad. The Turkish memorandum does not contradict this statement, but adds that Bagdad needs grain from Diarbekr as well as from Mosul. The British delegation do not propose to draw from this argument the logical conclusion that Diarbekr as well as Mosul should be included in Irak. They are satisfied with pointing out that the extension of agriculture in Irak since the British occupation enables Irak to dispense more and more with Diarbekr grain, so long as the grain-growing areas of Mosul are included in her borders.

One important argument which was advanced in the British memorandum is admirably supported by the Turkish delegation. The latter lay stress on the possible importance to Mosul, in the future, of the Mediterranean ports. The British delegation are prepared to admit that the trade of Mosul with Bagdad and Basra may diminish, and its trade with Alexandretta, Beirut and Haifa increase. The British delegation recognise that the Irak State should enter into the closest economic and commercial relations with the two neighbouring States of Palestine and Syria, and have already pointed out the importance of the cross-desert trade between Syria and Mosul. The transfer of Mosul to Turkey would cut it off not only from Irak but from Syria as well, and would interfere seriously with communications in general between Syria on the one side and Irak and Persia on the other. In fact, three countries would be sacrificed in order to give unimportant economic advantages to one.

It is difficult to decide whether the Turkish case is more seriously damaged by the arguments which they advance or by the British arguments which they ignore. They quote as grounds for the retrocession of the Mosul Vilayet to Turkey the trade between Southern Anatolia and Persia, which is quite insignificant, and, in any case, finds its easiest route through Bagdad; the export of buffaloes from Mosul, though buffaloes are bred not in Mosul, but in Lower Mesopotamia; and the construction of the Bagdad Railway, which, in point of fact, is useful to Mosul, not because it is a link with Anatolia, but because it unites Irak with its neighbour and customer, the Arab country of Syria. Of the British arguments, which the Turkish delegation have preferred to pass over in silence, the most important is the incontrovertible fact that Mosul can never get its principal imports (piece-goods, tea, sugar and coffee) from Anatolia.

6. *Strategic.*

The first argument in this section of the Turkish memorandum appears to be based on the entirely unfounded assumption that in any case Suleimanieh and Kirkuk are to be restored to Turkey. The Vilayet of Mosul is indivisible, and the arguments in this memorandum and in that of the 14th December relate to the vilayet as a whole. The Turkish claim to Mosul (town) as an essential link between Suleimanieh and Kirkuk on one hand, and Anatolia on the other, therefore falls to the ground.

It is not clear why the possession of Mosul should be necessary for the defence of Turkey. As a base for an attack on Irak its value is obvious, but it cannot be seriously argued that Turkey has anything to fear from the new State of Irak, even if the latter includes Mosul. Moreover, unlike the Jabal Hamrin, which is an insignificant range of hills of little importance as a barrier, the present boundary between Irak and Turkey is a serious military obstacle. The western flank is protected by a wedge of Syrian territory which both sides are bound to respect, the eastern by a mass of mountains in which military operations are extremely difficult.

Even if ethnographical, economic and other considerations were not opposed to the separation of Mosul and Bagdad, the Irak State might be pardoned for wishing to be separated from its powerful northern neighbour by the existing boundary rather than by the range of the Jabal Hamrin, which is not only difficult to defend, but is dangerously near to its capital and its vital communications. This question must be considered on its merits, and not confused by comparison with, *e.g.*, the boundary of Eastern Thrace, where many considerations of an entirely different order have to be taken into account.

7. *The National Pact.*

The Turkish delegation ignore the arguments in the British memorandum, which show conclusively that by no stretch of interpretation can the first article of the National Pact be read as demanding the retrocession of the Mosul Vilayet. The delegation simply repeat the statement that the National Pact does cover the Mosul Vilayet. Mere assertion of this sort does not necessarily carry conviction; nor would it be a sound innovation in international practice if documents were to be interpreted not by what they palpably say, but by what their authors, years afterwards, claim that they meant but failed to say. In any case, it may be worth while to state in the clearest terms what the present claim of the Turkish delegation really means. It means that the Turkish Parliament of February 1920, or the Angora Assembly of December 1922, is to have the right to decide that the Mosul Vilayet (which is represented in neither body), with its little minority of Turkomans and its enormous majority of non-Turks, is to be taken away from the victors in the great war and to be returned to the vanquished. All intervening events are to be ignored. The growth of Arab and Kurdish nationalism; the development of the mandatory system, and the acceptance by His Majesty's Government of a mandate in respect of the three Vilayets of Basra, Bagdad and Mosul; the setting up of an Arab State with an Arab King; the adhesion of a large part of the population of the Mosul Vilayet to the Arab State; the establishment of an autonomous régime for the Kurds—all of these events are to be disregarded merely because the Turkish delegation choose to advance this unfounded claim.

The British delegation are unable to deal with the case in this light-hearted and arbitrary manner. Faithful to its obligations to the population of the Mosul Vilayet, to its allies, and to the League of Nations, the British Government is bound to reiterate its refusal even to contemplate the surrender of the Mosul Vilayet, and is unable to see that any advantage can arise from further argument on the subject.

Document D.

Ismet Pasha to the Marquess Curzon of Kedleston.

(Translation.)

Dear Lord Curzon, *Lausanne, December* 29, 1922.

I FEEL bound briefly to reply to the memorandum which your Excellency has been so good as to send me. Allow me to say that this memorandum only strengthens the arguments which I had formulated in order to demonstrate the right of Turkey to the possession of Mosul. It must, indeed, be recognised that none of my arguments are refuted by it. Hitherto each of us had tried to convince the other by the help of proofs based on justice and logic. Your Excellency, by opposing the continuation of this system, recognises implicitly that from the point of view of justice and logic our case is unassailable.

Your Lordship will be so good as to remember that I had found it easier and more practical for us to endeavour to convince each other by oral discussion, and it was your Excellency yourself who inaugurated the present system of an exchange of written notes, each of which provokes a reply.

At the end of your letter your Excellency considers that no argument is valid other than the right of conquest; I am prepared with a clear conscience to entrust this argument, like all its predecessors, to the judgment of the public opinion of the world. I have, moreover, specified in my memorandum that even this right of conquest, which is based on events dating from four years ago and on a situation different from the present situation, cannot be invoked in the case of Mosul. Thus I find that I have demonstrated that the last argument which could be invoked by the British Government in support of its claim to Mosul is without foundation, since Mosul was occupied after the armistice.

The declarations made during the great war on the subject of the liberation of the Arabs from Turkish administration are well known. Those declarations have lost all real value in the eyes of the peoples, as a result of the events which have taken place since 1918.

Your Excellency is certainly not unaware that all peoples wish to dispose of their own destinies, and that there no longer exists upon the earth a single nation which asks for a protector or a guide. Neither does there remain anybody who does not understand that the words "protection," "guide on the road of civilisation," &c., are, in the hands of dominating Powers, only means of absorbing the conquered peoples, politically and economically.

If the British Government were willing, for one moment, to leave the inhabitants of Irak free and released from any military occupation —*i.e.*, the people who, according to your Lordship's statements, were promised their liberation: if these populations were allowed to vote in complete independence on the subject of the destinies of their country, the result of such a consultation could not be the subject of the slightest doubt. In such conditions, one would no longer find a single person in all those territories who desired an occupation, a protectorate, or a mandate of any sort whatever. To tell the truth, it must be avowed that the inhabitants of Irak show the greatest anxiety to unite their destinies by some means or other to those of the Turks. But the Government of the Grand National Assembly, which holds as its fundamental principle the view that those parts of the Ottoman Empire other than Turkey should be as free and independent as Turkey herself in determining their own fate, has never thought of exploiting the attachment which the Arabs feel towards it. Our claims, therefore, only concern the regions which ought to return to Turkey. As for the countries which remain outside our frontiers, we wish them independence and prosperity.

I desire also to let my opinion be known on the subject of the British mandate for Irak, of which your Excellency speaks in your memorandum. Not only has Turkey never recognised in principle the necessity for such a mandate, but further she is entirely unaware of its attribution to England. It is clear, moveover, that the treaties which, according to the statements contained in your Excellency's letter, appear to have been concluded by the British Government on the subject of Irak, a province which still legally forms part of the Ottoman Empire, can in no way be invoked against us.

The question of administrative autonomy which is to be accorded by England to the Kurds is briefly dealt with in my memorandum.

The situation of persons who live within our country—who, even in the most remote districts, participate as full citizens in all rights and responsibilities—cannot be compared to that of the inhabitants of a sort of colony who might be allowed a certain liberty or a certain autonomy as a favour granted from above.

At this moment, when the exchange of arguments in regard to our respective rights to the possession of Mosul, to which your Excellency invited me, is closing in favour of my contentions, I consider that I have proved how well founded were my reasons for declaring that Mosul forms an integral part of Turkey. I hope that your Lordship will allow me once more to affirm this truth.

My experts are ready to meet those whom your Excellency may be good enough to appoint. When the frontiers which the two parties have in view have been clearly established on the map, the opposing points of view will be more clearly apparent. If this elucidation helps to contribute to a prompt solution of the question, all will be for the best.

Believe me, &c.
ISMET.

Enclosure in Document D.

Memorandum.

A PERUSAL of the reply of the British delegation produces the conviction that the arguments advanced in the Turkish memorandum of the 23rd instant are perfectly logical and well-founded, and that they are, moreover, sufficient to establish Turkey's right to claim the Mosul Vilayet.

We consider it useful to furnish the following information in regard to certain parts of the British memorandum which are, in point of fact, a repetition of the views already set forth once before.

Racial Considerations.

The Turkish statistics regarding the Vilayet of Mosul are the result of careful study, and were drawn up before the great war, that is to say, at a period when it was of no political advantage to falsify the figures giving the proportion of the different elements of the population, and when, on account of the operations of military recruiting, it was necessary to possess exact data. These statistics should therefore be considered as those most consonant with the truth.

Anyone can realise that a journey carried out by certain British officials and officers is not sufficient for the collection of exact statistics; moreover, British officials have not been able hitherto to penetrate into the Sanjak of Suleimanieh; the information which they might be able to supply regarding that sanjak must therefore be accepted with even more caution than that relating to the rest of the Vilayet of Mosul.

The nahieh called Achairi-Sebaa or Achairi-Mouhtelifeh is solely populated by Turks and Kurds. Those who know the Turkish language will not hesitate to recognise that these two composite words are expressions which could be freely used in Turkish, without it being possible to claim that the object to which they are applied has any connection whatever with the Arabs.

As for the villages situated around Mosul and bearing Turkish names, we must repeat that not only their names, but also their populations are Turkish; moreover, the British memorandum of the 14th instant also recognises the existence of Turkish villages around Mosul.

The Turkish memorandum of the 23rd December indicates the manner in which the Arabs are distributed in the vilayet in question, and gives detailed information regarding the population of the town of Mosul and its neighbourhood.

Those who have travelled in Anatolia know that, in their manners, as well as in their usages and customs, the Kurds differ in no respect from the Turks; while speaking a different language, these two elements form a single unit from the point of view of race, of religion and manners.

It seems that our statements regarding the Turanian origin of the Kurdish people have caused lively astonishment to the British delegation; if reference is made to the article on "Kurdistan" in the "Encyclopædia Britannica" information will be found identical with that furnished by us.

Considerations of a Political Nature.

It is incontestable that the Kurds and the Turks, who form the majority of the population of the Vilayet of Mosul, have never for a moment ceased to struggle, with all the force at their command, to achieve the union of their province with the territory under the administration of the Government of the Grand National Assembly of Turkey; the proclamations of the British representatives in Irak and the present attitude of the British troops of occupation towards this population constitute sufficient proof of this.

Moreover, the inhabitants of the Vilayet of Mosul have approached the Grand National Assembly in order to acquaint it with their irrevocable decision to obtain the return of their province to Turkey, and have at the same time observed that the country was in foreign occupation contrary to the stipulations of the armistice treaty of 1918.

The incident which occurred at Bitlis in 1914 was the result of agitation by certain foreign consuls; it had no importance whatever, and was of a purely local nature. The character of this incident can be shown by the fact that one of the personages considered as compromised in that affair is now a member of the Grand National Assembly. The affair at Dersim, referred to in the British memorandum, is of a similar nature.

A local incident occurring for some reason or other at some point in Turkish territory can in no way be interpreted as a proof of the desire of the population of that place to be separated from Turkey; moreover, similar occurrences can be found everywhere.

For centuries the Kurds have enjoyed all the rights of citizenship in Turkey, under the ægis of the Turkish Government, the defender of Turkey; they have never thought of looking upon that Government, with which they have always collaborated in complete liberty, both politically and socially, as a foreign Government. The colonies and dependencies of the European Powers are deprived of the right to send Members of Parliament to sit in the capitals of those Powers, and their inhabitants do not enjoy the prerogatives which the citizens of those States possess.

A dominating race like the Kurdish race would never be satisfied with the alleged rights granted to inhabitants of so-called autonomous regions, which do not carry with them the enjoyment of the rights of citizenship.

It is certain that the population of the Vilayet of Mosul does not desire in any way to share the fate of a population which has sunk to the level of a colonised people. The Kurds would never agree to be separated from their Turkish brethren in order to live in a land reduced to the status of autonomous territory.

In order to refute that part of the British memorandum which speaks of the attachment of the Arabs to Great Britain and to the present existing régime in Irak, and to show the value of the plebiscite which is said to have been held in that country, it will be enough to recall the great rising which took place in Irak in 1920–21, and the bloody repression which followed it and necessitated the employment of very large British forces; the plebiscite mentioned above took place after that repression and under the threat of the armies of occupation; everybody will agree that a vote obtained in such circumstances has no value whatever.

Historical Considerations.

The bonds which have united Mosul to Turkey for the last eleven centuries can in no manner disappear in consequence of the enforced separation which has been imposed on these two countries during the last four years.

Economic and Geographical Considerations.

Basing our arguments on economic and geographical considerations, we have maintained that the Vilayet of Mosul was inseparable from Anatolia. The British memorandum in no way weakens our case.

Moreover, the facts show that in quite recent times the British Government did not consider the Vilayet of Mosul as forming part of Irak, and was contemplating the necessity of separating these two regions.

Indeed :

1. The Franco-British Agreement of 1916 separates Mosul from Irak and places it in the French zone.
2. In the demands formulated in 1919 at the instigation of the Allied Powers by Sherif Pasha, Mosul was likewise separated from Irak.

Again, in the Vilayet of Mosul the same climatic conditions prevail as in Anatolia and are entirely different from those of Irak.

We wish further to observe that if the principle were to be adopted of annexing to a country all the regions which minister to its economic needs, it would be necessary to modify entirely the existing frontiers of every State and to trace new frontiers, taking into account the economic interdependence of the different territories. As the impossibility of applying such a principle is evident, the argument used in the British memorandum regarding the necessity of annexing Mosul to Irak in order to satisfy Bagdad's need for cereals falls to the ground.

Strategical Considerations and the Turkish National Pact.

The Vilayet of Mosul, peopled for the greater part by Turks and Kurds, forms an integral part of our country; it is evident, as a result of the existence of this majority and of the situation of the Province of Mosul, that the province should be returned in its entirety to Turkey. The British seizure of this country is not the result of military operations, for Mosul fell under foreign occupation, like many other Turkish territories, in consequence of abuses and arbitrary acts which were committed in the application of the armistice treaty. Therefore, warlike operations cannot be used as an argument to justify the occupation of this territory.

According to the letter of his Excellency Lord Curzon of Kedleston and the British memorandum, the right of conquest ought to be recognised as sufficient justification for the annexation of territory. We consider it our duty to lay down in opposition to such an argument the contrary contention that the population of a country ought not to be transferred against its will from the sovereignty of one State to that of another, and we also consider it our duty to recall the fact that during the great war this principle was that of the Allies, and was loudly proclaimed by President Wilson in his fourteen points which were to serve as a basis for the future peace.

To sum up, it can be said, to put an end to the discussion, that no logical argument exists which can justify the British seizure of Mosul or its annexation to Irak.

Lausanne, December 29, 1922.

Document V.

The Marquess Curzon of Kedleston to Ismet Pasha.

Dear Ismet Pasha, *Lausanne, December* 31, 1922.

In thanking you for your final communication on the subject of Mosul, I rejoice to find that you agree with me in thinking that it is unnecessary further to pursue the discussion. I may be permitted to remind you, however, that it was for the convenience of the Turkish delegation that, in our first conversation on the subject, I stated my willingness to forward to you on paper the considerations which led the British Government to contest the various theses which you then advanced in favour of the Turkish case.

I am quite willing at any time, and shall probably decide before long, to take up the question of the frontiers of Syria and Irak at a meeting of the Territorial Commission, over which I have the honour to preside. It was, as you will remember, in deference to your own express wish that I postponed the discussion on a previous occasion. I shall then be prepared to state in public the reasons which render it impossible for my Government to accept the claim which has been put forward by the Turkish delegation.

In the meantime, I learn with pleasure that you accept my proposal for a meeting of our respective experts to consider the northern frontier of the State of Irak; and on my return from Paris early this week I hope to place my representatives at your disposal.

Yours, &c.

CURZON OF KEDLESTON.

No. 25.

Territorial and Military Commission.

Minutes of the Twenty-second Meeting, January* 23, 1923, *at* 6 p.m., *under the presidency of Lord Curzon.*

Present:

British Empire.	France.
The Marquess Curzon of Kedleston. Sir H. Rumbold.	M. Bompard.
Italy.	**United States of America.**
Marquis Garroni. M. Montagna.	Mr. Child. Admiral Bristol. Mr. Grew.

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* These minutes do not represent the signed versions of speeches other than the British.

Japan.

Baron Hayashi.
Mr. Otchiai.

Roumania.

M. Diamandy.

Greece.

M. Veniselos.
M. Caclamanos.

Kingdom of the Serbs, Croats and Slovenes.

M. Rakitch.

Turkey.

Ismet Pasha.
Riza Nour Bey.

Also present:

British Empire.

Sir Eyre Crowe.
Mr. Malkin.
Mr. Ryan.
Captain Pound, R.N.
Lt.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Major Young.
Captain Ashley.

France.

Admiral Lacaze.
M. Fromageot.
M. de Lacroix.
M. Laporte.
M. Bargeton.
Lt.-Col. Courtin.
M. de Percin.
M. Sanguinetti.

Italy.

Admiral Chelotti.
M. Arlotta.
M. Guariglia.
M. Ciamarra.
Dr. Senni.
M. Salem.
M. Guisi.

United States of America.

Mr. Dwight.
Mr. Amory.
Mr. Gillespie.

Japan.

Mr. Nagaoka.
Mr. Sato.
Col. Saigo.
Capt. Tsuru.
Mr. Tani.

Roumania.

M. Contzesco.

Greece.

M. Michalopoulos.
Gen. Mazarakis.
M. Politis.
M. Dendramis.

Kingdom of the Serbs, Croats and Slovenes.

M. Georgevitch.

Turkey.

Moukhtar Bey.
Lt.-Col. Tefvik Bey.
Munir Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries:

BRITISH EMPIRE.	FRANCE.
Mr. Spring Rice. Mr. Wicks.	M. Lagarde.
ITALY.	UNITED STATES OF AMERICA.
M. Indelli.	Mr. Belin.
JAPAN.	GREECE.
Mr. Hotta.	M. Collas.
KINGDOM OF THE SERBS, CROATS AND SLOVENES.	TURKEY.
M. Milanovitch.	Rechid Safvet Bey.

Interpreter: M. Camerlynck.

ISMET PASHA said that he had at first hoped to solve the Mosul question by private conversations. Since the 31st December, when he had learnt that Lord Curzon proposed to lay the matter before the Territorial Commission, he had awaited the meeting of the commission with impatience. That morning the Turkish delegation had set forth in detail their views in regard to the possession of Mosul and submitted their claims to the judgment of public opinion all over the world. After Lord Curzon's statement, Ismet Pasha felt bound once more to examine minutely the arguments employed on both sides, for and against the restoration of the Mosul Vilayet to Turkey. At the preceding meeting he had analysed and refuted the arguments and objections of Lord Curzon. He thought it necessary, however, to define and develop certain points in his statement.

As he had explained that morning, the argument concerning the mandate could not be employed against Turkey, who had never recognised the principle of mandates, and moreover was unaware of their existence. The Government of the Grand National Assembly could not recognise as official acts or documents the agreements which were said to have been concluded between third Powers in regard to Turkish territories. It would be a serious mistake to suppose that Turkey had recognised the mandates in connection with the dividing up of the former debts of the Ottoman Empire. The purpose of the Turkish Government in proceeding to distribute these debts was simply to determine the shares of Syria, Mesopotamia, &c., but it did not on that account feel bound to recognise the existence or the legality of any mandate over these territories.

Ismet Pasha then insisted on the weakness of the ethnographical arguments used by the British delegation. Even if the figures quoted by that delegation were accepted, it would be seen that the

Arabs only formed one-quarter of the population in the Mosul Vilayet. It would indeed be difficult to argue that a country should be assigned to an ethnical element which only constituted a fourth of the total population.

Ismet Pasha also considered it very useful to observe that the statement made by Lord Curzon that morning contained certain serious inaccuracies. Lord Curzon apparently cast doubt on the regularity of the election of the Kurdish Deputies to the Grand National Assembly. Ismet Pasha wished the world to know that the Grand National Assembly of Turkey was composed of the real and freely elected representatives of the Turkish people. All the inhabitants of Turkey, including both Turks and Kurds, were equally entitled to the franchise and enjoyed the same rights in the Grand Assembly, which thus afforded the world the most striking example of a nation being directly administered by those best qualified to represent it. The Deputies from Mosul were unfortunately absent from the Assembly; but their absence was solely due to a foreign occupation which rendered it impossible to conduct the elections freely. This example proved once more how entirely genuine and regular elections were in Turkey—not that the Kurds were unrepresented in the Grand National Assembly.

Ismet Pasha thought that Lord Curzon had insisted on his strategical objections without any plausible reason. The argument that it would be a menace to the security of Bagdad if the Turks were at Mosul could not be used against the Turks, for it was England herself who had maintained that the passage of foreign warships through the Straits and past Constantinople could not constitute a danger to Turkey's existence. Ismet Pasha was amazed that anxiety should be displayed in regard to the security of Bagdad, when no such anxiety was felt in the case of Constantinople.

Turning to the question of the occupation of Mosul by British troops, Ismet Pasha said that it was indispensable to put matters in their true light. On the 30th October, 1918, the day when the armistice of Mudros was signed, Mosul was in the hands of the Turks. In this connection Ismet Pasha wished to call attention to the fact that he spoke of the armistice of Mudros not because he regarded it as an act or a document possessing any value at the present day, but simply as indicating the date on which military operations were suspended. The town of Mosul was occupied after that date, and therefore without a blow. Lord Curzon had said that the news of the armistice reached Mosul on the 1st November, and that the authorities gave the order for evacuation on the 4th November. This was a further proof that the town was occupied without fighting; for whereas the Turkish troops were constantly receiving orders and instructions to abstain from using force and defending their country, the British command persistently ignored the armistice and took advantage of the situation for pushing their troops forward. However, that might be, the occupation of this district after the conclusion of the armistice must be regarded, juridically, as the occupation of a defenceless country.

Ismet Pasha felt that he should also state his views briefly on the oil question. The Turks had always regarded Mosul as an integral part of the district—a fraction of the mother country. Ever since his first interviews with official political personages or with representatives of private interests he had been pressed to state whether he regarded the Mosul question as a territorial or as an oil question. He had consistently replied to all enquirers that the question at issue was for the Turks before and above everything territorial. On the other hand—as Lord Curzon himself had recognised—one could not ignore the interest taken in oil problems by the whole world. The Turkish point of view in this matter had always been and would in future be that the world should not be deprived of the oil derived from these districts after they had been returned to the mother country. Turkey promised to grant all possible facilities so that the world might profit by this oil in a legitimate way. Lord Curzon had alluded to concessions which were said to have been granted before the war. The question whether these concessions were valid and definitive in character ought to form the subject of a special enquiry from the juridical point of view. Ismet Pasha said that the Turkish delegation, since their arrival at Lausanne, had been confronted with many requests and openings from certain groups who wished to know whether Turkey would recognise their rights to work these oilfields after Mosul had been reoccupied. Hence he had found it necessary, with a view to ascertaining the economic and financial capacity of the groups in question, to send two experts (not three, as Lord Curzon thought) to London. There was nothing abnormal in the Turks wishing to get into contact with any companies or groups who proposed to exploit the resources of their country in one way or another. By taking the opportunity to visit the British Museum during their stay in London, the Turkish experts had only yielded to a perfectly legitimate curiosity in artistic matters.

Ismet Pasha said that he had particularly observed the insistence with which Lord Curzon rejected the idea of holding a plebiscite in regard to the Mosul Vilayet. He could not guess the motive for this refusal, for a plebiscite was the method commonly employed when it was necessary to decide by whom and how the population of a country should be governed. It had hitherto been agreed unanimously that the most rational and equitable procedure with a view to settling the destinies of a nation or population was to consult it directly, leaving it free to express its opinion on the subject in full independence. It was indeed difficult to admit that while it had been considered possible to consult the population of Irak concerning the choice of Emir Feisal, it should be regarded as impossible to obtain an expression of their views on the far more vital question—that of their union with such and such a country, or that of the manner in which they wished to be governed. There was a striking and inexplicable contradiction in this attitude. The rejection of a plebiscite gave the most convincing proof of the weakness of the case brought forward against Turkey. It was an admission that the claims advanced against Turkey's rights were unjust, and an excellent proof of the fact that Mosul belonged to Turkey.

It would not be fair to submit a territorial question of such importance as that of Mosul to arbitration by the League of Nations. If that were done, Turkey would be staking a portion of her national inheritance, while the British Government would at the most be in the position of submitting to discussion the control exercised by them over a territory which was not their own. The delegation of the Government of the Grand National Assembly could not allow the fate of a great region like the Vilayet of Mosul, which formed an integral part of their country, or the fate of its population and resources to be made dependent upon any arbitration. The Turkish Government were convinced of the soundness and justice of their case, and maintained their view that Mosul should be restored to Turkey.

Lord Curzon spoke as follows :—

"I will reply at once to the speech which we have just heard.

"His Excellency Ismet Pasha began by expressing regret that this matter could not be solved by direct agreement between him and myself. I share that regret. It is because we could not convince each other that the question has been brought before the commission to-day.

"The first part of Ismet Pasha's speech was devoted to contesting certain points in my speech of this morning. I do not want to reopen that discussion, but there are three or four points on which I will ask the leave of the commission to say a few words.

"In the first place, Ismet Pasha repeated what he had already said this morning, namely, that the Turkish Government cannot take any account of a mandate given for any territory and have never accepted the principle or recognised the fact of any mandate. But that is not the case. I can give an illustration showing that the Turkish Government have definitely accepted both the principle and the fact. As M. Bompard said this morning, the frontier between Syria and Turkey in Asia was agreed at a certain stage by a special arrangement concluded between a representative of the French Government and the Government of Angora. What is that but a definite recognition of a mandated territory? How is France in Syria at this moment? M. Bompard will readily admit that she is there in execution of a mandate conferred upon her at San Remo by the same Powers who conferred the mandates for Irak and Palestine on Great Britain. Her mandate was subsequently laid down and defined by the League of Nations. Turkey has therefore recognised the mandate given to France, and in the text of the agreement which exists between France and Turkey lies the recognition of the French mandate for Syria.

"Secondly, Ismet Pasha said that the Arabs were only one-quarter of the total population of the Vilayet of Mosul, and enquired how it could be argued that one-quarter of the population should decide the fate of the whole. But what is Ismet Pasha's own contention? That the vilayet should be given back to the Turks who constitute only one-twelfth of the whole. Ismet Pasha is quite prepared to accept a smaller fraction if it relates to Turks, but he will not look at a much larger fraction if it applies to Arabs.

"Ismet Pasha's next point concerned the Kurdish delegates in the Parliament at Angora, but he has not replied to the questions which I put to him this morning on the subject. I asked him how they were elected; how many voters voted for them; and from whence the delegates came. He has not told me any of these things, but he has admitted that there are no Kurdish delegates from the Mosul Vilayet and, therefore, none from that part of Kurdistan with which we are now concerned. And yet his argument this morning was that he knew all about the opinions of the people in the Mosul Vilayet through the Kurdish delegates at Angora. Therefore, that particular contention of his can be dismissed.

"I will now deal with the final position adopted by Ismet Pasha. His Excellency strongly argued that the question raised in regard to Mosul should be settled by a plebiscite; that if you can elect a ruler or a king by a plebiscite, you can also determine the fate of a country by the same means. Will his Excellency allow me to remind him that this is not the question now before us? The question is not what is to be the ultimate destiny of Mosul, but where the line is to be drawn between the Turkish possessions and the mandated Arab State of Irak—an entirely different question, and of all questions the least suitable for decision by a plebiscite. I venture to think that I have had far more experience of plebiscites than Ismet Pasha. Since the war I have had a great deal to do with plebiscites concerning frontiers, and am determined never to deal with another. The plebiscite is a fatal and pernicious system of endeavouring to settle a frontier, and I will tell the conference why. First, you have to decide who are to vote, what are to be their age, qualifications and length of residence in the country. As Ismet Pasha has said, many of the people in the Vilayet of Mosul are nomads, constantly going to and fro between the hills and the plains and sometimes migrating into Persia. Which of all these people are to vote and on what grounds are they to be selected? Secondly, you have to decide who is to keep order when the voting takes place. In every plebiscite held since the war it has proved necessary to have an army to keep the people quiet and prevent them from cutting each other's throats. Where is the army to come from to keep the peace in Kurdistan? It cannot be Turkish or British, as those two countries are interested parties. Is there any gentleman in this room who is willing to offer an army to go and keep the peace during this plebiscite? He will be a great fool if he does.

"I can give two illustrations of what has happened in recent plebiscites with which some of us are familiar. One of them was to take place under the Treaty of Versailles at Teschen in connection with a dispute between the Czechs and the Poles. It gave rise to so much agitation, rioting and disorder that the Plebiscite Commission eventually had to decide that it should not be held at all. Then there was another and far worse case, that of Upper Silesia. There was so much disturbance that the proceedings had to be postponed for many months. The people who were going to vote were so disorderly that 20,000 to 30,000 French, British and Italian troops were required in the area to keep the peace. During the plebiscite period constant raids and murders disfigured the country. After great difficulty the plebiscite was held, and when the Plebiscite Commission had to report on the result they could not agree among themselves on the line of frontier which they should recommend. They therefore sent the question to Paris for the Great Powers to settle. I was there myself. We too could not agree. Thus, after one and a half years had been spent and all these lives sacrificed and this trouble created, we had to send the question to the League of Nations. We ended up at the point where I now wish to begin. I therefore respectfully recommend this example of a plebiscite to the attention of Ismet Pasha.

"Let us imagine a plebiscite in Kurdistan. What would happen? As Ismet Pasha has said, the population is always moving. The majority of the Kurds and a great part of the Arabs are quite illiterate. They will not know how to vote; they have never seen a ballot box in their lives, and if they did they would probably throw it at your head. Then again, who is going to find the troops to keep order? How are you to explain to the people what they are to vote about? The Kurds would doubtless vote for an independent Kurdistan; the Arabs for an Arab State; the Turks for Turkish nationality; and the Christians for anything which will keep them away from the Turks. How can you define frontiers under such conditions? The result would be inextricable confusion, and the Great Powers would hold themselves up to ridicule. Plebiscites are only good for a unified, not a mixed, population, and for a single, not a confused, issue.

"That is why a plebiscite in Kurdistan is a proposition which no one who has any experience of recent events can possibly support.

"I now come to my final proposal and to the Turkish reply. I ended by suggesting that this difficult and disputed question should be referred for examination and decision to the League of Nations. This proposal received the warm support of my French and Italian colleagues on behalf of their respective delegations; it therefore came before the commission with the full weight of Allied approval. No other delegation spoke on the matter, but I venture to say that there is not a single representative of a single delegation here who will not agree with M. Bompard that it is a wise, equitable and liberal proposal. The Council of the League of Nations is a body composed to a large extent of representatives of neutral States, detached, absolutely impartial, and possessing great moral authority. Great Britain is ready to put her case into its hands; but Turkey has so little confidence in her case that she dare not submit it to arbitration of any kind. Ismet Pasha has just rejected arbitration in general and he therefore presumably rejects arbitration by the League of Nations. I will now tell him what it is that he has rejected.

"Supposing my proposal is accepted, what will happen? Here is the Covenant of the League describing its procedure and the action to be taken by the States which belong to it. Only three weeks ago the Turkish delegation signified that their first step after the conclusion of peace will be to ask to join the League. If this dispute were referred to the League, Turkey not being a member, the first act of the League under article 17 of the Covenant would be to invite Turkey to become a member for the purposes of the dispute. The Council of the League would then institute an enquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances. Lest the Turkish delegation should say that they will not have a chance of being heard and that their case will not be adequately represented, let me remind Ismet Pasha of article 4 of the Covenant, which lays down that any member of the League not represented on the council (I am speaking here of Turkey as having become a member of the League of Nations for the purposes of this enquiry) shall be invited to send a representative to sit as a member at any meeting of the council during the consideration of matters specially affecting the interests of that member of the League. Therefore, if and when this matter goes to the League of Nations, Turkey will at once be invited not merely to become a member, but to sit on the council.

"The council will have to decide what method of examination to adopt. It may ask the Turks and the British for their respective views; it may decide to send a commission to take the views of the Kurds, Turks, Arabs and Christians on the spot; it may hold an enquiry in Europe, or it may appoint a single arbitrator to settle the matter. I do not know what it will do; but my point is that the Turkish delegation will be there just like ourselves, and when the two cases have been stated you will get the most impartial examination which it is possible to secure. Further, article 5 of the covenant provides that the decision of the council upon which the Turkish Government will be represented will have to be unanimous so that no decision can be arrived at without their consent.

"Now I speak with the utmost solemnity : Do the Turkish delegation really refuse that proposal? If they do, I venture to say in all sincerity that it will produce a worse impression than anything which the Turkish delegation have yet done at this conference. When it goes out to the world that I, on behalf of my Government, have made this offer, that it will give Turkey the opportunity just described, and that Turkey refused it without looking at it or examining it, I shall be very sorry to read the comments that will be passed in the newspapers of the world to-morrow upon the attitude and decision of the Turkish delegation. I still hope that Ismet Pasha will tell me that he did not fully consider the terms of his reply and that his delegation do not mean the complete refusal which I understand him to give.

"But I would like to add something more. The matter cannot rest there. Let us suppose that the Turkish delegation do mean to refuse and persist in their refusal; what remains to be done? I cannot leave the case in that position; it is fraught with too much peril to the peace of the world. I have seen in the papers and I have information that if the matter is not settled in the spirit which the Turkish delegation desire, there may be movements of Turkish troops from Anatolia in the direction of Mosul, there may be an attack upon the frontier, there may be an attempt to decide the issue by military means, there may be hostilities, there may be war. I am here to make a treaty of peace; I am not here to make war. I am not here to allow conditions to continue to exist which may result in war. Therefore, supposing the Turkish delegation really mean to refuse and persist in that refusal, I shall be obliged, on behalf of my own Government, to act independently. I will explain what I mean.

"There is another article in the Covenant (article 11) to which I have not yet referred. It reads as follows :—

> "'Any war or threat of war, whether immediately affecting any of the members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary-General shall, on the request of any member of the League, forthwith summon a meeting of the council.
>
> "'It is also declared to be the friendly right of each member of the League to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.'

"If the Turkish delegation refuse my proposal I shall act on that article. I shall at once address myself to the Council of the League and say that a situation has arisen which seems likely to disturb international peace and the good understanding between nations upon which peace depends. The council will at once meet to consider the question. It will address an invitation to the Turkish Government to state their case and, in the event of their declining to do so, there will be placed in operation all the sanctions which exist in the Covenant. But I do not want to take this course; I do not wish to be driven to it by the Turkish delegation. I would much rather that we both went to the League of Nations together in a friendly way to-morrow, this week or next week. I assure Ismet Pasha that this is the only right way to solve the question. I do assure him that if he persists in refusing he will be responsible for anything that may happen in the shape of risings, bloodshed or difficulty in the Mosul Vilayet, and I do warn him with all respect that he will find great difficulty in persuading the public opinion of the world that he is right. I therefore once again ask him whether I have correctly understood his language, and whether he will not join with me in the course I proposed this morning of submitting the matter to the League of Nations. If he will not give me an affirmative reply I have told him quite clearly the line which I shall be compelled to take."

Baron Hayashi observed that in the speeches of Lord Curzon to which the commission had listened that morning and that afternoon there was not a word which contained a trace of any selfish motive. The proposal outlined in Lord Curzon's speeches was that an absolutely impartial body should be asked to pronounce the decision on the problem under discussion. Baron Hayashi invited special attention to Lord Curzon's statement that the decision of the Council of the League of Nations would have to be unanimous. That being so, he really could not see how there could be any objection on the part of Turkey to letting the matter be submitted to and decided by the League of Nations. With all due deference to Ismet Pasha, he sincerely hoped that his Excellency would reconsider the question and give his consent to Lord Curzon's proposal.

M. Bompard considered that the gravity of the situation imposed on him the duty to intervene with a view to averting the disaster which threatened to come about. In his view it was desirable that the Turkish delegation should not give a hasty reply. He had a better right than anyone else to make such a request of the Turkish delegation, for he had never ceased to maintain that Turkey was just as much concerned for the public good as for her own interests. The public good was undoubtedly at stake in the problem laid before the commission. If the Turkish delegation persisted in their negative attitude, the gravest consequences might ensue. M. Bompard was convinced that a reasonable solution lay in the recourse to arbitration which the British delegation proposed. The two parties would be able to present their claims on a footing of absolute equality. M. Bompard could not therefore understand how the Turkish delegation could persist in their present attitude. He asked Ismet Pasha once more to examine the Mosul question—a matter of great gravity—in a sober and leisurely manner.

Marquis Garroni wished to add that in his opinion Lord Curzon's proposal could not prejudge the question in either party's favour. The proposal was a most reasonable one; the question was to be submitted to and decided by an impartial body, which had every interest in delivering such a judgment as would obtain universal approval and avert all danger of a conflagration. Marquis Garroni accordingly hoped that Ismet Pasha, who possessed so clear and reasonable an understanding of affairs, would be good enough to reflect once more on the proposal made to him and take a decision which would satisfy everyone. The whole world wished for the avoidance of any complication which might endanger the peace desired by all.

Ismet Pasha thought it his duty to declare in the most explicit manner that he had not recognised the mandate of any Power over any part whatever of the territories detached from the former Ottoman Empire.

He was at a loss to account for the doubts which still prevailed in regard to the regularity of the election of Kurdish Deputies to the National Assembly of Turkey. These Deputies had been elected under conditions of liberty and independence equal to those of all other countries.

Turning to the question of a plebiscite, he really could not see in what respects it would be found difficult to carry it out. In his view, it would be very easy to take the special measures which were required with a view to security and owing to the situation of the migrating tribes. It was sufficient to accept the idea of a plebiscite in principle. Ismet Pasha could not concur in the proposal to submit the solution of the Mosul question to arbitration. The arguments on which the Turkish case rested were so convincing, and were conceived in such a spirit of right and equity, that it seemed to him extremely easy to examine them in the commission itself and to reach a solution at once.

In a question like that of Mosul everyone would be unanimous in recognising the soundness and justice of the Turkish case. He had no doubt that in this matter the public opinion of the world would be in Turkey's favour. The delegation of the Government of the Grand Assembly had come to Lausanne to make peace—a peace of justice and equity. No one would tolerate that peace being menaced on account of the Mosul question. The Turkish delegation had ever since the opening of the conference shown the great goodwill with which they were animated and the immense sacrifices which they were ready to make for the sake of universal peace. The conference was no longer at its beginning; public opinion in all countries had had time to follow and examine the causes which the Turks were defending and to realise how moderate and equitable they were. Ismet Pasha therefore begged the British delegation to accept the principle of restoring Mosul to Turkey.

Lord Curzon said:

> "I will only say in conclusion that I regret very much that the Turkish delegation have resisted the advice that was given to them with so much authority by M. Bompard who spoke with, I may say, such convincing force, and by the heads of the Italian and Japanese delegations. I think that Ismet Pasha will be somewhat surprised when he sees what the opinion of the world, to which he has appealed, is upon this matter. I have stated on behalf of my Government the action which I shall be compelled to take, and I shall take it without delay."

Mr. Child handed to the president before the close of the meeting the text of a statement which the United States delegation wished to have inserted in the minutes.

(*The commission rose at* 7·20 p.m.)

ANNEX.

Statement presented by the United States Delegation, January 23, 1923.

LORD CURZON has expressed the detachment from the British claim to continue as administrators of the mandate of Mesopotamia, of questions pertaining to resources of the country. In the course of his remarks he expressed also the attitude of himself and of his Government towards certain concessions in that territory in a manner clearly to indicate that the British Government would hold aloof so far as possible from making such concessions the subject of diplomatic interest and restated his belief in the principle that large factors in the world's resources should not become the subject for monopolistic development.

The American representatives taking no part in the territorial settlement, nevertheless, are glad to associate themselves with the intent of Lord Curzon's remarks upon this subject. The American representatives have expressed their Government's policy of the open door, and Lord Curzon has stated his adherence to this policy, but neither the statement nor the adherence had reference to any particular resource or field of economic activity, and only those who wilfully perverted these declarations have read into them meanings which suit their own political ends.

The American representatives feel it their duty to refer to Lord Curzon's specific mention of the validity of the claims of the Turkish Petroleum Company and to remind the conference that, without seeking special privilege or favour, the Government of the United States has not assented to the principle that it may be disassociated in the rights of peace from the usual consequence of association in war, nor in other cases where another principle is involved will it abandon the policy of the open door. We refer to a substantial correspondence by our Government already accumulated under two successive political administrations in the United States.

So far as means to furnish protection to legitimate American interests is at their hands, it does not affect the duty of the American representatives whether the identity of the American rights is associated with a commercial or any other American interest. For this reason the mention by Lord Curzon of a certain corporation and its claims is one giving the American representatives appropriate opportunity to suggest that where there are conflicting claims already in existence in respect to legal rights to resources there should be provided a means for a judicial settlement of these rights which would give full and complete assurance of impartiality. Such impartiality cannot be provided for specifically in advance. Under a general principle, the interested parties should be satisfied as to the impartiality of the juridical determination at the time of the reference of the conflicting claims.

No. 26.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Twenty-third Meeting, January 27, 1923, at 10·30 A.M., under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

ROUMANIA.

M. Diamandy.

FRANCE.

M. Bompard.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

GREECE.

M. Veniselos.
M. Caclamanos.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.

Also present:

BRITISH EMPIRE.

Sir Eyre Crowe.
Mr. Ryan.
Mr. Payne.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

ITALY.

Admiral Chelotti.
M. Arlotta.
M. Guariglia.
M. Guisi.

JAPAN.

Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

FRANCE.

M. Serruys.
M. Laporte.
M. Bargeton.
M. de Percin.
Lieut.-Col. Courtin.
M. Sanguinetti.

UNITED STATES OF AMERICA.

Mr. Dwight.
Mr. Amory.
Mr. Gillespie.

GREECE.

M. Dendramis.
M. Politis.
M. Theotokas.

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* These minutes do not represent the signed versions of speeches other than the British.

ROUMANIA.	KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Contzesco.	M. Georgevitch.

TURKEY.

Munir Bey.	Tevfik Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.	FRANCE.
Mr. Spring Rice. Mr. Wicks.	M. Lagarde.
ITALY.	UNITED STATES OF AMERICA.
M. Indelli. M. Zanchi.	Mr. Belin.
JAPAN.	GREECE.
Mr. Hotta.	M. Collas.
KINGDOM OF THE SERBS, CROATS AND SLOVENES.	TURKEY.
M. Milanovitch.	Rechid Safvet Bey.

Interpreter: M. Camerlynck.

Restoration of Interned Civilians.—Exchange of Prisoners of War.—Exchange of Populations.

THE commission had before it the draft agreement between Greece and Turkey in regard to (*a*) the reciprocal restoration of interned civilians now detained in Greece and Turkey, (*b*) the exchange of prisoners of war (Annex (A)); the draft convention between Greece and Turkey in regard to the exchange of populations (Annex (B)); and a draft protocol relating to the liberation of able-bodied men belonging to the Greek population, whose families had already left Turkish territory, now detained in Turkey (Annex (C)).

M. MONTAGNA reminded the delegates that on the 9th January the Territorial and Military Commission had received a report in which the Sub-Commission on Exchange of Populations indicated that it had agreed on a certain number of principles. One question remained unsolved, on which the commission had been able to obtain agreement. The commission had then required the sub-commission to resume the examination of the questions submitted to it with a view to settling the methods whereby the agreement already attained in principle could be executed in practice. The sub-commission had found this task much larger than was originally expected. Several times over it had encountered such difficulties that it had despaired of a successful issue.

M. Montagna had not had the necessary time to draft a report on the sub-commission's labours and on the results obtained by it, and reserved the right to communicate such a report to the president of the commission later on. For the moment he would content himself with giving a verbal summary of the work done by the sub-commission.

After many arduous discussions the sub-commission had been able to draw up in common the text of an agreement concerning the restoration of civilian hostages and prisoners of war and the text of a convention relating to the exchange of populations.

M. Montagna observed that most serious difficulties had arisen in connection with the framing of this latter convention. Among these difficulties there were five which deserved special notice :—

1. The Turkish delegation had originally asked that even Greek subjects resident in Turkey, who were to be expelled from that country, should not be able to return thither. The Turkish delegation had subsequently withdrawn this request.
2. Considerable difficulty had been experienced in fixing the extent of the Constantinople zone. It was finally agreed that this zone should coincide with the area covered by the prefecture of the city.
3. The Turkish delegation had asked that the term "Western Thrace" should comprise a much larger area than that which the Greek delegation had in mind. On this point also the Turkish delegation had subsequently withdrawn their request.
4. The liquidation of certain religious communities' property had given rise to difficulty. The sub-commission had finally agreed that as in the case of private property the liquidation of this property should be compulsory.
5. As regards the measures taken in Greece in connection with expropriation of Moslem real property, the Greek delegation had displayed a broad conciliatory spirit.

Thus by dint of mutual sacrifices it had proved possible to reach agreement on all points.

The working basis of the convention was that a commission, consisting of four representatives of Greece, four of Turkey and three appointed by the Council of the League of Nations, was to regulate equitably all questions relative to the exchange. All that remained to be done was the final signature of the conventions. It had been arranged that the agreements relating to prisoners of war and exchange of populations should be signed simultaneously; but while the former was to come into force immediately, the latter was only to come into force upon the ratification of the Treaty of Peace. An exception was made as regards the male population interned in Anatolia, which was to be exchanged upon the signature of peace.

M. Montagna felt bound to state that the framing of these agreements had only been possible owing to the conciliatory spirit displayed by the Turkish and Greek delegations, and also to the active co-operation of the delegates of the inviting Powers on the sub-commission. In this connection, he wished to express his special thanks to Mr. Ryan and M. de Lacroix, whose assistance had been valuable and efficacious. The agreement and the convention could be signed at the beginning of the next week.

M. Montagna hoped that the salutary effect of these agreements would be felt as soon as possible, for indeed every day that passed imposed fresh sufferings on thousands of innocent persons. With a view to averting this unnecessary suffering, and upon the authority of the sub-commission, he had had a conversation with the president of the committee of the International Red Cross, in order that delegates might be sent to Athens immediately after the signature of the agreements for the purpose of supervising the exchange of prisoners. The Red Cross had most willingly accepted the task thus entrusted to it.

ISMET PASHA said that the result of the labours of the sub-commission, which had just been stated by its president, could be regarded as positive. He thanked M. Montagna for the explanations which he had been good enough to give. In connection with the attainment of this result, there should be some recognition of the incontestably conciliatory spirit constantly displayed by the Turkish delegation and of the sacrifices which they had agreed to make on all points. It would indeed be seen that on most of the questions held over the sacrifices came from the Turkish side. Ismet Pasha thought that the most essential task of the sub-commission had been to ensure to the emigrants adequate guarantees that they would enjoy the full benefit of the equitable liquidation of their property. He hoped that the measures now advocated would satisfy the interested parties, and that no abuses would arise such as might call forth complaints.

There was, however, one question in which the Turkish delegation could not understand the method of solution proposed. They had always insisted—with the concurrence of the sub-commission—that the signature of the agreement regarding the exchange of civilian hostages and prisoners of war should take place before that of any other agreement, so as to put an end a little sooner to the indescribable sufferings of these unfortunate people. Ismet Pasha said that he could not accept the proposal of the president to put off the signature of that agreement until the following week. He recalled the fact that the Allied delegations were unanimous in the intention and desire to put an end without delay to the lamentable situation of the hostages and prisoners interned in Greece. Any Power in Turkey's position would already have secured the restoration of these poor men. The result of Turkey allowing the Greek civilians to depart freely was that she no longer had any hostages of this kind within her borders. There was thus no reason why the complete restoration of the Turks should not be effected immediately and without any further delay. Ismet Pasha accordingly made the official proposal to sign the agreement concerning the exchange of civilian hostages and prisoners of war at the present meeting.

The president of the Turkish delegation then drew attention to certain omissions which he had noted in M. Montagna's statement. It had been decided at the sub-commission that the last instalment of people to be exchanged was to consist of the Turkish population of the districts between the Mesta and the Strouma. It had also been agreed to insert a special provision regarding the Moslem emigrants who left Greece before 1912. He therefore hoped that in the report, which he was still awaiting, these chief omissions would be put right and that certain other imperfections of detail would be corrected in the sense agreed upon.

M. Montagna observed that Ismet Pasha's remarks simply proved one thing, namely, that his (M. Montagna's) account of the sub-commission's work was incomplete.

He had taken the precaution of stating that he merely intended to point out to the commission some of the matters regarding which the discussion had been somewhat laborious. He had not forgotten either the provisions or the mutual undertakings which had been agreed upon, and could assure Ismet Pasha that nothing would be omitted in the report which he was going to present to the president of the commission. As regards the signature of the prisoners agreement and the exchange convention, it could not take place that day. The original texts had not been got ready, and the signatures could only be exchanged on the following Tuesday (the 30th January). He begged Ismet Pasha to be so good as to take account of the purely material difficulties which very slightly delayed the signature of the documents.

M. Veniselos read the following statement:—

"At this moment, when the commission is to take note of the conclusion of the Græco-Turkish Convention for the Exchange of Populations between the two countries, the Greek delegation consider it their duty to define their views on the subject for the last time.

"The compulsory character of the exchange of populations between Greece and Turkey has been viewed by the Greek Government and delegation with special antipathy. During the lengthy discussions on the exchange, the Greek delegation have never failed to express their ideas both to the commission and to the sub-commission. They have several times over stated their willingness to abandon the obligatory exchange, provided that the Greek populations now removed from their homes be allowed to return thither without any hindrance. In making this proposal they felt that they were defending the elementary right of every man to inhabit the country where he was born and to live there in freedom. Greece would in return be happy to keep within her borders those industrious people against whom she hates to take exceptional measures. Unfortunately the other party concerned was not willing to agree to these proposals, and the convention concerning compulsory exchange has had to be drafted and concluded.

"Nevertheless, the Greek delegation to-day feel bound once more to renew their proposal for the abandonment of the compulsory exchange before the conference with all solemnity, and will be happy if it could be accepted. Only in the contrary event will they submit to an unavoidable necessity and sign the convention.

"Once that convention has been concluded, the Greek delegation also regard it as their duty to invite serious attention to the respect which is due to the convention, both in letter and spirit. It forbids any measure, direct or indirect, which might bring about the removal of any population from the districts concerned in the exchange before the Mixed Commission instituted by the convention has made provision for such removal, under the conditions laid down after long and arduous discussion."

M. Veniselos further expressed his most sincere thanks to all the members of the sub-commission, especially to Mr. Ryan and, above all, to M. Montagna, who had displayed boundless energy and zeal in seeking to secure the conclusion of these conventions.

Lord Curzon wished to add a few words as president of the commission. He had been glad to hear Ismet Pasha express pleasure at a positive result having been obtained in respect of these two conventions. Lord Curzon shared that pleasure, and hoped that his Excellency would give the conference the opportunity of expressing similar satisfaction on a larger scale in the early part of the next week.

All who had spoken that morning had given testimony to the spirit of conciliation which had animated both parties, and mention had been made of more than one member of the sub-commission who had contributed materially to the result; but the chief credit was undoubtedly due to its chairman, M. Montagna, of whose untiring energy and zeal M. Veniselos had just spoken. The successful issue of the labours of the sub-commission was in the main due to his inexhaustible patience, courage and resourcefulness. M. Montagna had described the difficulties encountered and the manner in which they had been overcome, and Lord Curzon would only add a few observations on the main principles of the agreements before the commission.

The first of the two conventions dealt with the civilian hostages and the prisoners of war in Greek and Turkish hands, and was to come into force immediately upon signature. Everyone would welcome this result, for it would put an immediate end not only to terrible anxiety, but also to much suffering on the part of the individuals concerned. It was agreed that the civilian hostages removed from Turkish territory by the Greek forces were to be returned at once, that all Turkish prisoners in Greek hands were to be restored, and that an equal number of Greek prisoners in Turkey should be returned in exchange. The remainder of the Greek prisoners in Turkey were to be restored as soon as peace was signed. The execution of the agreement was to be placed under the auspices of a commission representing the International Red Cross. M. Montagna had already seen a representative of that body, which was prepared to undertake the task. The only point remaining was the signature of the convention, and M. Montagna had explained that for practical reasons this could only take place on the 30th January. When that had been done, very substantial results would have been obtained.

The second agreement dealt with very much larger aggregations of humanity, inasmuch as it related to the exchange of the Greek population of Turkey, excepting Constantinople, as against the Moslem population of Greece, excepting Western Thrace. M. Montagna had indicated that the convention for this exchange would be ready for signature on the 30th January. The exchange was to take effect as from the beginning of next May, and was to be on a compulsory basis. Lord Curzon wished to say once more, for the last time, that he felt sure all the delegates—including particularly those of the two Powers principally concerned, Turkey and Greece—viewed with abhorrence and almost with dismay the principle of compulsory exchange. One need only read the papers to realise how widely this feeling of dissatisfaction had spread; and the conference had only yielded to the demand that the exchange should be compulsory because all those who had studied the matter most closely seemed to agree that the suffering entailed, great as it must be, would be repaid by the advantages which would ultimately accrue to both countries from a greater homogeneity of population and from the removal of old and deep-rooted causes of quarrel. In this respect the Allied Powers had attempted to do no more than to act in the rôle of mediators. They had refrained from pressing either side to accept the principle of exchange; but once it had been accepted, they had made every endeavour to secure the conclusion of an agreement capable of practical application and of a character to reduce the inevitable suffering and material loss to the narrowest possible dimensions. The convention was to come into force simultaneously with the Treaty of Peace, except as regards those Greeks of military age whose families were already in Greece and whom Turkey had agreed to set free to rejoin their families as soon as peace was signed.

It was quite possible that difficulties might be raised in the execution of these conventions; and, in conclusion, Lord Curzon would only appeal to both parties—to the representatives of the Turkish Government on the one hand and of the Greek Government on the other—to carry out the agreements in a spirit of loyalty, not only to the conventions themselves, but also to humanity. It was impossible to move such great communities without a great deal of suffering and distress, and he almost shuddered to think of what might be entailed when he contemplated this large exodus of whole families and groups and sections of the population. He earnestly hoped that the process might be made as easy as possible, and that much as the delegates might regret the methods to be employed, their regrets would be merged in a spirit of higher satisfaction at the manner in which the agreement was carried out.*

Prisoners of War and Graves.

Admiral Chelotti, president of the sub-commission appointed to examine the provisions relating to prisoners of war and graves, read the report of the sub-commission, dated the 25th January, 1923 (Annex (D)).

1. *Prisoners of War.*

Ismet Pasha stated that the six draft articles concerning civilian and military prisoners would be applicable between all the Powers except Greece and Turkey. At the sub-commission agreement had been reached on all these articles except the third. In regard to that article, the Turkish delegation had asked that the benefit of the reciprocal amnesty might be extended to all prisoners, whatever were the nature of the offence or crime committed by them. Although all the delegations had accepted this proposal in principle, they had wished to maintain the right to detain all prisoners and interned persons who had been sentenced for offences other than those against discipline, the object in view being to include in the treaty an article corresponding to similar provisions in other treaties.

Provisions which had been laid down by common agreement and on a basis of reciprocity in a treaty between two States could not be invoked by a third State which was bound by a different treaty. Moreover if the third State in question wished to advance a claim of this kind, it could always take advantage of the declaration annexed to this treaty, of which the declaration formed an integral part.

Consequently the Turkish delegation asked that article 3 might be suppressed and that an addition might be made to article 2, stating that the amnesty was extended to prisoners of war and interned civilians who were awaiting trial or undergoing sentence for crimes or offences against the ordinary law.

The effect of the Powers' declaration was that persons who had committed crimes or offences since the 20th November, 1922, would not enjoy the benefit of the provisions contained in that declaration. Ismet Pasha asked the Allied delegations to advance the date in question to that of the signature of this agreement, acting in that spirit of humanity and pacification which underlay article 5 of the Turco-Greek Convention in regard to Exchange of Populations.

Lord Curzon spoke as follows:—

"Ismet Pasha has explained the objection of his delegation to article 3 in the form in which it now stands. Perhaps I may put before the commission in a few words why it is that we feel bound to adhere to our position. Ismet Pasha has appealed to the spirit of humanity. I appeal, on the other hand, to the spirit of justice. I understand that Ismet Pasha is only willing to accept article 3, which is to the effect that persons guilty of common crimes can be detained in prison, on condition that the Allies sign a declaration stating that they will surrender this right and return such prisoners when the treaty is ratified. The Allies, on their part, are quite prepared to declare that they will release all prisoners except those who have committed criminal offences since the 20th November, 1922. What is the reason for our insistence? It is that if this provision is not inserted, the Turkish murderers of one British sailor and two British soldiers at Constantinople a short time ago would have to be released on the ratification of the treaty, and the same measure of injustice would have to be dealt out to any other criminals who may, in the interval, perpetrate a similar assault or murder on any member of the Allied armies of occupation. I read only this morning that three more British soldiers had been shot in the streets of Constantinople. It is intolerable that the guilty parties, if discovered, should go unpunished. We are bound to protect our men just as Ismet Pasha is bound to protect his, and I absolutely decline to agree to anything which will involve the acquittal or escape from punishment of these assassins. If his point of view were admitted it would be tantamount to encouraging the murder of our men. No self-respecting Government could agree to such a proposal. I should be only too delighted to see our men withdrawn from Constantinople, but so long as they are there do let us give them the protection to which they are entitled. That is why the British delegation feel obliged to insist on this form of words.''

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* The instruments dealt with in this section of the minutes were signed on the 30th January, as recorded in the Appendix appearing on p. 425.

ISMET PASHA explained why he asked for the suppression of article 3 in the draft relating to prisoners of war. That article contemplated the continued detention of prisoners of war or interned civilians awaiting trial or undergoing sentence for acts other than offences against discipline. On the other hand the Powers were to make a declaration in the contrary sense, which was to be annexed to the treaty and have the same force. Thus the objection of the Powers had no intrinsic value and fell to the ground. The Turkish delegation therefore considered that both in right and in fact the suppression of article 3 was obviously necessary.

Ismet Pasha was deeply moved at hearing of the incidents mentioned by Lord Curzon. Without even waiting to learn the results of enquiry into the matter, or to know whether the acts in question were really attributable to Turks, he declared that he disapproved of them, whoever the persons responsible might be. When the Turkish delegation asked for the restoration of prisoners of war and interned civilians awaiting trial or undergoing sentence for offences other than those against discipline, they did not in the least mean to say that the guilty would be pardoned. But the principle of restoration was recognised in all countries and in all treaties. Ismet Pasha once more expressed regret that the point of view of the Turkish delegation should be interpreted so disagreeably, and that this interpretation should tend to create a belief that the guilty were being and would be encouraged. He wished to assure the Allied delegations, and Lord Curzon in particular, that the guilty would be punished in every case. But he asked that even in such cases the methods recognised and practised everywhere else should be accepted and applied.

2. *Graves.*

Ismet Pasha said that the Turkish delegation considered it a duty towards humanity to facilitate to the utmost the application of all measures which tended to the proper preservation of cemeteries, on condition that they received a guarantee of reciprocal treatment. It was a tradition with the Turks to venerate the abodes of the dead. It would, however, be recognised that the first thing to do, when one wished to assign a piece of ground to the burial of the dead and to the erection of commemorative monuments, was to reach a previous agreement with the owners of the land. As a certain number of cemeteries on the Gallipoli Peninsula had already been assigned to this purpose, the Turkish delegation spontaneously agreed to the maintenance of those cemeteries where they now lay. This was sufficient proof of the deep respect felt by the Turks for these places. It went without saying that in determining the extent and area of these cemeteries, it was absolutely necessary to obtain the approval of the Turkish member of the Graves Commission. If, as the result of further investigation, it proved that the ground thus assigned exceeded in area what was considered necessary, the Turkish delegation held that the extra ground should be restored, without giving rise to any removal of graves.

In a district which had been under Allied military occupation ever since the armistice, it was impossible that all the remains of the dead should not have been collected together. The Turkish delegation also thought it altogether unjust to preserve the text of an article taken from the draft Treaty of Sèvres (which had never been approved) regarding the assignment of a large expanse of ground outside the cemeteries at Ari Burnu.

Like many other peoples, the Turkish nation had freely shed their blood on many fields of battle in many regions outside their mother country. The Turkish delegation therefore hoped that the Allied delegations, appreciating both the accuracy and the justice of their reasoning and arguments, would do them the honour of not insisting on the maintenance of article 6 in the draft concerning graves.

Lord Curzon said: "I do not think that the Turkish delegation have any idea whatever of the depth and seriousness of the sentiments that are aroused by this question. Ismet Pasha began just now by enunciating the soundest principles, and he went on to say that no nation is disposed to exhibit a greater respect for the dead and for the places where the dead lie than the Turkish people. I wish I could feel that this is altogether consistent with the facts. I am afraid it is not. Since the war and even during the past year I have read of too many occasions on which Turkish soldiers have shown an incredible lack of respect to the cemeteries of the dead. I should like to take Ismet Pasha to Smyrna and show him the condition of the British cemetery at this moment—to Aintab and show him the condition of the French cemetery there—and thus demonstrate to him the way in which the Turkish authorities have carried out the excellent principles which he laid down just now. As regards the present case, I should like both the commission and the world to understand what is the exact point at issue between the Turkish delegation and ourselves, because I think they would hardly deem it credible that such a position could be taken up as has been assumed by the Turkish delegation in this matter.

"Their first reservation is with regard to article 6, and it relates to a strip of ground in which lie the bodies of the men who came from the distant countries of Australia and New Zealand to fight for the cause of the British Empire and of peace. These people, inspired by the highest patriotism, came from the ends of the earth to fight in the noblest of causes. Cannot we allow these dead to repose in circumstances of dignity and peace? The piece of land involved is a little bit of rough ground some 4½ kilom. long and only 1½ kilom. broad. In this area there are nineteen actual cemeteries; and over all the ground between, which is a network of old trenches, half covered in or not covered in, lie the unidentified remains of many other soldiers. The ground is uninhabited and uncultivated. It is of no value to the Turkish Government or to any human being, but to Australians and New Zealanders, whose sons and brothers lie there, it is of the deepest historical and sentimental significance. The Turkish delegation say that they are quite prepared to recognise the nineteen cemeteries, but they actually claim that the little patches of land which separate these cemeteries should be excluded. What we say is that all this area should be treated as one whole, and should be respected as sacred ground. It seems to me impossible that any nation could take a different view of its duty to its dead, and I have merely to state the case to the commission to convince them of the justice of the attitude we have taken up.

"The second Turkish reservation relates to article 7, and concerns the graves which have already been established by a British commission in several parts of the Gallipoli Peninsula. Now the Allies have shown themselves quite willing to allow the Turks a voice in determining the site and the arrangement of new cemeteries, but we cannot allow them to make any alteration in those which have already been established. Of course, the Turkish authorities may visit them and take note of their design, but we cannot consent that they should make an alteration in the latter. The Imperial War Graves Commission—a body organised to represent the various parts of the British Empire, who fought and lost so many thousands of men on the Gallipoli Peninsula—has already spent vast sums of money in creating and establishing the cemeteries in the peninsula, in accordance with their general design for collecting in cemeteries the bodies of soldiers of the British Empire who lost their lives on the various battlefields in the war. If I had known that the question was to be disputed I would have brought photographs to show the commission the nature of the ground. This work has been practically completed, and we really cannot consent that the Turkish Government should now intervene and attempt to modify or restrict the designs which have already been carried out.

"When Ismet Pasha spoke just now about the Turkish respect for the dead I could not help remembering that in the earlier stages of the sub-commission the Turks actually proposed that the corpses already buried in these cemeteries should be dug up and that one large cemetery should be created at Gallipoli, into which every body should be tossed. That proposal was received with horror by the Allies, and could not be persisted in by the Turkish delegation. Upon the two points which I have mentioned this morning the British delegation, who are chiefly interested, absolutely decline to give way. Ismet Pasha talked about reciprocity. Let us have reciprocity. Let him come with me and see the way in which we treat the Turkish cemeteries in Mesopotamia, in Palestine and on the Suez Canal. I ask for nothing better. You cannot haggle over the dead. You can haggle over everything else, as you have been doing during the last few weeks, but you cannot bargain with the corpses of the soldiers who have lost their lives in the service of their country. In a matter of this sort you are up against the outraged sentiments of humanity. We respect your sentiments; do the same with ours. When I go into a Turkish mosque I am quite prepared to put slippers or other coverings on my feet to keep them from touching the pavement because you regard it as holy ground. We have exactly the same sentiments for the ground in which the bodies of our soldiers lie, and we insist on proper respect for it. I said just now that we are only too anxious to remove our troops from Constantinople. We are equally anxious to remove the British troops from Gallipoli. Not a man shall be moved until this question has been settled in a spirit of decency, equity and honour."

ISMET PASHA said that the Turkish delegation thought it useless to reply to all Lord Curzon's arguments. They recognised that it was an extremely delicate matter to examine and discuss the question of cemeteries and graves. In order to avoid all misunderstanding and to remove any false interpretation, the Turkish delegation wished to state the problem with all possible clearness. If everyone saw and knew the truth, they would do the Turkish delegation the justice of recognising that their feelings were perfectly honourable. The head of the British delegation had referred to certain incidents which were said to have occurred at Smyrna and elsewhere. Lord Curzon would recollect that there had previously been some talk of similar incidents, and that the Turkish authorities had then made the necessary enquiries, the result of which was to satisfy the British entirely and set their minds at rest. While military operations were actually proceeding there had likewise been occasion to note certain regrettable acts of the same kind; but it had been proved that these acts had not been committed by Turks at all. On the contrary, it was a matter of official knowledge that the Turkish authorities themselves had notified the facts to the British and asked them to take the necessary precautions with all urgency. The Turkish delegation could therefore assure the head of the British delegation that all possible measures had been taken with a view to the preservation of the British and French cemeteries. If certain isolated acts had taken place at the very moment of military operations, there was absolutely no reason or proof which justified anyone in attributing them either to the Turkish nation or to the Turkish authorities. On the other hand, when the Turkish troops drew near to Chanak-Kalé, they had the sorrow of finding that the Turkish cemeteries had undergone a treatment very different from that which both the Allies and the Turks wished in regard to foreign cemeteries. The Turkish delegation accordingly asked that the voices of all parties should be heard with fairness, and that credence should not be given only to idle tales which had not been verified.

Reverting to the particular question of the Gallipoli cemeteries, the Turkish delegation wished to make a solemn declaration before the conference and the public opinion of the civilised world, to the effect that for them and for their companions in arms—in other words, for the whole Turkish nation in arms—no one could be the object of greater veneration than the soldiers of all countries without distinction who had fallen on the field of battle—the warriors who had died for the noblest ideal imaginable, namely, that of patriotism. Those who perished on the battlefield were regarded by the Turks as saintly and holy and endowed with divine grace. For the very reason that they attached the highest importance to this respect for fallen soldiers, the desire of the Turks was not to pollute that sentiment with political or strategical designs. The existence of foreign cemeteries in Turkey and at Gallipoli proved that they were respected; but it was impossible to understand how this could serve as a pretext for enlarging their area. For instance, if a patch of ground equal to the area of the conference room were required for the burial of two bodies, one would not proceed to enclose the whole locality of Ouchy. Therefore, if measures had been taken which were afterwards recognised to be superfluous, it seemed natural to correct the mistake and return to the owner such land as was not necessary for the burial of the bodies which had been found.

Ismet Pasha then dealt with the question of the Ari Burnu district. The Turks, he said, had conceded all the ground required for the existing cemeteries. It was inconceivable that those requirements could continue to increase indefinitely. A demand was now being made not only for the cemeteries, but for the battlefields. The method of consecrating battlefields by appropriation had hitherto been unknown. According to this theory the Turks, who had shed their blood copiously on many vast battlefields outside Turkey, could with still greater justice claim similar rights. But no one would experience any difficulty in recognising that this matter bore no relation to the question of graves. The territory claimed by Lord Curzon was not a cemetery, but a strip of land which had served as the chief base of operations during the Dardanelles campaign and could always be utilised for the same purpose. Ismet Pasha asked the conference what relation this question could have with that of graves. In his view it was the duty of the delegates not to confuse and embitter the delicate question of graves by intertwining it with other problems and with political and military designs. He hoped that these honourable and courageous explanations would convince public opinion everywhere that the Turks treated the remains of heroes with boundless respect, but that it was repugnant to them to mix this question up with the interests of the living.

Lord Curzon said: "I will only say one sentence in reply to what we have just heard, and that is that I am sorry that the Turkish delegation have once more lost the opportunity of performing an elementary act of humanity and honour."

Ismet Pasha, in reply to this remark, said that the Turkish Government, which had never hitherto let pass a single opportunity of fulfilling its duties of piety and honour, would be happy to continue to do so, to the same extent and in the same manner as all other foreign Governments. He repeated that he had no reason to believe that graves would be less respected by the Turks than by other nations.

(*The commission rose at* 11·55 a.m.)

Annex (A) to No. 26.

Draft Agreement between Greece and Turkey respecting the reciprocal restitution of interned civilians and the exchange of prisoners of war.

With the exception of certain insignificant verbal alterations, this was identical with the convention as actually signed, for which see paper No. 50, p. 828.

Annex (B) to No. 26.

Draft Convention concerning the exchange of Greek and Turkish populations.

This was identical with the convention as actually signed, for which see paper No. 48, p. 817.

Annex (C) to No. 26.

Draft Protocol regarding the release of able-bodied men.

This was identical with the protocol as actually signed, for which see paper No. 49, p. 827.

Annex (D) to No. 26.

Report of the Sub-Commission required to examine the provisions to be inserted in the treaty regarding prisoners of war and graves.—(*January* 25, 1923.)

The sub-commission has drawn up the two attached drafts, which it has the honour to submit to the commission.

1. *Prisoners of War.*

All these articles have been agreed to unanimously with the exception of article 3, the insertion of which was asked for by certain delegations, especially by the French delegation, with the object of maintaining in the treaty a provision common to the treaties already signed with Germany, Austria, Hungary and Bulgaria, and of thus removing any pretext for dispute which those Powers, and Germany in particular, might raise on the ground of differential treatment.

The adoption of this article 3 by the Turkish delegation has been made conditional on the contracting Powers, other than Greece and Turkey, declaring themselves prepared to apply in the same manner as the two latter Powers the provisions of article 5 of the Græco-Turkish Agreement regarding the restitution of civil hostages and the exchange of prisoners of war.

A draft declaration drawn up by the interested delegations—French, British, Italian, Japanese, Roumanian, Serb-Croat-Slovene—of which a copy is attached, has been presented to the Turkish delegation. The latter have declared that they can only accept it subject to the omission of the last part of the sentence which reads: "with the exception of those who have committed crimes and offences against the ordinary law since the 20th November, 1922," and the interested Powers not having agreed to this omission, the Turkish reservation on article 3 is maintained.

2. *Graves.*

Articles 1, 2, 3, 4, 5, 8, 9, 10, 11, 12 and 13, have been unanimously agreed to.

Article 6 has been expressly reserved by the Turkish delegation.

As regards article 7, the Turkish delegation asks that its second paragraph be completed by a provision giving the Turkish representative delegated to the commission which is provided for by the said article 7 the right, after the recognition and identification of the graves, cemeteries and memorials already established, to arrange for modifications in the case of those whose area may exceed what is necessary, with a view to reducing their extent to the required size.

(Signed) ADMIRAL CHELOTTI.

Sub-Commission of Prisoners of War and Graves.—
(January 19, 1923.)

Article 1.

The high contracting parties agree to repatriate immediately the prisoners of war and interned civilians who are still in their hands.

The exchange of prisoners of war and interned civilians detained by Greece and Turkey respectively, forms the subject of a special agreement between those Powers, signed on the , 1923.

[*Adopted.*]

Article 2.

Prisoners of war and interned civilians awaiting disposal or undergoing sentence for offences against discipline, shall be repatriated irrespective of the completion of their sentence or of the proceedings pending against them.

[*Adopted.*]

Article 3.

Prisoners of war and interned civilians who are awaiting trial or undergoing sentence for offences other than those against discipline may be detained.

[*Adopted with the reservation that the contracting parties other than Greece and Turkey declare themselves prepared to apply in the same manner as the two latter Powers, the provisions of article* 5 *of the Græco-Turkish Agreement regarding the restitution of civil hostages and the exchange of prisoners of war.*]

Article 4.

The high contracting parties agree to give every facility in their respective territories for the search for the missing and the identification of prisoners of war and interned civilians who have expressed their desire not to be repatriated.

[*Adopted.*]

Article 5.

The high contracting parties undertake to restore, on the coming into force of the present treaty, all articles, money, securities, documents and personal effects of every kind belonging to or having belonged to prisoners of war or interned civilians, which have been retained.

[*Adopted.*]

Article 6.

The high contracting parties waive reciprocally all repayments of sums due for the maintenance of prisoners of war captured by their armies.

[*Adopted.*]

Draft Declaration.

The . . . . Government, acknowledging the importance of the measure of pacification which forms the subject of article 5 of the convention concluded between the Greek Government and the Turkish Government for the restitution of civilian hostages and for the exchange of prisoners of war, declares itself ready to adopt, subject to reciprocity on the part of the Turkish Government, the same measures for the benefit of such Turkish prisoners of war and interned civilians who may still be in their hands, with the exception of those who have committed crimes and offences against the ordinary law since the 20th November, 1922.

Graves.—(*January* 24, 1923.)

Article 1.

Without prejudice to the special provisions of article 3 below, the high contracting parties will cause to be respected and maintained within the territories under their authority the cemeteries, graves, ossuaries and memorials of soldiers and sailors of each party who fell in action or died from wounds, accident or disease since the 30th October, 1914, as well as prisoners of war and interned civilians who died in captivity after that date.

The high contracting parties will agree to accord in their respective territories all necessary facilities to such commissions as each contracting party may appoint for the purpose of identification, registration and maintenance of the said cemeteries, ossuaries and graves and the erection of memorials on their sites. Such commissions shall not have any military character.

The high contracting parties reciprocally undertake, subject to the provisions of their national legislation and the requirements of public health, to furnish each other every facility for giving effect to requests that the bodies of such soldiers and sailors may be transferred to their own country.

[*Adopted.*]

Article 2.

The high contracting parties further undertake to furnish each other :—

1. The complete list of prisoners of war and interned civilians who have died in captivity, together with all information tending towards their identification.
2. All information as to the number and position of the graves of all those who have been buried without identification.

[*Adopted.*]

Article 3.

The maintenance of graves, cemeteries, ossuaries and memorials of Turkish soldiers, sailors and prisoners of war who may have died in Roumanian territory since the 30th October, 1914, as well as all other obligations resulting from articles 1 and 2 above regarding interned civilians shall form the subject of a special arrangement between the Roumanian Government and the Turkish Government.

[*Adopted.*]

Article 4.

In order to complete the general provisions included in articles 1 and 2 above, the Governments of Great Britain, France and Italy on the one hand, and the Turkish and Greek Governments on the other, agree to the provisions which form the subject of articles 5–13 below.

[*Adopted.*]

Article 5.

The Turkish Government undertakes to grant to the Governments of Great Britain, France and Italy, respectively and in perpetuity, in its territory, the land in which are situated the graves, cemeteries, ossuaries or memorials of their soldiers and sailors who fell in action or died of wounds, accident or disease, also of their prisoners of war and interned civilians who died in captivity. It will likewise grant to them the land which the commissions provided for in article 7 below shall consider necessary for the establishment of cemeteries, for the regrouping of ossuaries or of memorials.

It undertakes further to give free access to these graves, cemeteries, ossuaries and memorials, and, if need be, to authorise the construction of the necessary roads and pathways.

The Greek Government undertakes to fulfil the same obligations as far as concern its territory.

The above provisions shall not affect Turkish sovereignty or, as the case may be, Greek sovereignty, over the land thus granted.

[*Adopted.*]

Article 6.

The land to be granted by the Turkish Government will include in particular, as far as Great Britain is concerned, the area in the region of Anzac (Ari Burnu) which is indicated on the map.

[*Reserved by the Turkish delegation.*]

Article 7.

The British, French and Italian Governments shall appoint a commission, to which the Turkish and Greek Governments will appoint a representative, which shall be charged with the duty of regulating on the spot questions affecting graves, cemeteries, ossuaries and memorials. The duties of this commission shall extend particularly to—

1. The official recognition of the zones where burials have or might have taken place, and the registration of graves, cemeteries, ossuaries or memorials actually existing.
2. Fixing the conditions in which, if necessary, graves may in future be concentrated, and deciding, in agreement with the Turkish representative in Turkish territory, or with

the Greek representative in Greek territory, the sites of the regrouped cemeteries, ossuaries and memorials still to be established, and defining the boundaries of these sites, reducing the land to be occupied to the indispensable minimum.

3. Communicating to the Turkish and Greek Governments, in the name of their respective Governments, the final plan of the graves, cemeteries, ossuaries and memorials set up or to be set up for their nationals.

[*Adopted under the following reservation by the Turkish delegation: The Turkish delegation claim for the Turkish representative on the commission the right, after the identification of the graves, cemeteries, ossuaries and commemorative monuments existing, to arrange for certain modifications in those whose extent may exceed what is necessary, with a view to the reduction of their area to the necessary size.*]

ARTICLE 8.

The Government in whose favour the grant is made undertakes not to employ or allow to be employed for any purpose, other than that provided for above, the land so conceded. If this land is situated on the coast, the shore is not to be employed by the concessionary Government for any military, marine or commercial purpose whatever. The sites of graves and cemeteries which may no longer be used for that purpose and which are not used for the erection of memorials shall be returned to the Turkish Government or, as the case may be, to the Greek Government.

[*Adopted.*]

ARTICLE 9.

Any necessary legislative or administrative measures for the grant to the British, French and Italian Governments respectively of full and exclusive use in perpetuity of the land referred to in articles 5, 6 and 7 above shall be taken by the Turkish and Greek Governments respectively within the six months which shall follow the notification provided for in article 7, paragraph 3. If any compulsory acquisition of the land is necessary, it will be effected by and at the cost of the Turkish and Greek Governments in their respective territories.

[*Adopted.*]

ARTICLE 10.

The British, French and Italian Governments may respectively entrust to such organisations as each of them may deem fit the establishment, arrangement and maintenance of the graves, cemeteries, ossuaries and memorials of their nationals. These organisations shall have no military character. They alone shall have the right to undertake the exhumation and transfer of bodies necessary for the concentration of graves and establishment of cemeteries and ossuaries, as well as the exhumation and removal of such bodies as the concessionary Governments shall deem it necessary to transfer to their own country.

[*Adopted.*]

ARTICLE 11.

The British, French and Italian Governments shall have the right to entrust the care of their graves, cemeteries, ossuaries and memorials to custodians selected from among their nationals. These custodians shall be recognised by the Turkish authorities and shall receive from them every assistance necessary for the safeguard and protection of these graves, cemeteries, ossuaries and memorials. The custodians shall have no military character, but may be armed, for their personal defence, with a revolver or automatic pistol.

[*Adopted.*]

ARTICLE 12.

The land referred to in articles 5, 6, 7 and 8 above shall not be subjected by Turkey or the Turkish authorities, or, as the case may be, by Greece and the Greek authorities, to any form of rent or taxation. The representatives of the British, French and Italian Governments, as well as persons desirous of visiting the graves, cemeteries, ossuaries and memorials, shall at all times have free access thereto. The Turkish Government and the Greek Government, respectively, undertake to maintain in perpetuity the roads leading to the said land.

The Turkish Government and the Greek Government respectively undertake to afford to the British, French and Italian Governments all necessary facilities for obtaining a sufficient water supply for the requirements of the staff employed in maintaining or protecting the said cemeteries, graves, ossuaries and memorials, and for the irrigation of the land.

[*Adopted.*]

ARTICLE 13.

The British, French and Italian Governments undertake to accord to the Turkish Government the benefits of the provisions of articles 5 to 12 above for the establishment of graves, cemeteries, ossuaries and memorials of Turkish soldiers and sailors existing on the territories under their authority, including those territories detached from Turkey.

[*Adopted.*]

APPENDIX.

Record of Proceedings.

On Tuesday, the 30th January, 1923, at noon, under the presidency of M. Montagna, and in the presence of the members of the secretariat-general of the conference, the following acts were signed:—

The agreement between Greece and Turkey regarding the reciprocal restitution of interned civilians and the exchange of prisoners of war.

The convention regarding the exchange of the Greek and Turkish populations and the protocol annexed thereto.

The plenipotentiaries were :—

For Greece : MM. Veniselos and Caclamanos ;
For Turkey : Ismet Pasha, Riza Nour Bey and Hassan Bey.

After the exchange of signatures, M. Montagna declared that he saw in the conclusion of these agreements a good augury for the happy achievement of the work of the conference. He added that the Allied Powers considered that it was extremely desirable that the Greek and Turkish Governments should, without delay, take the necessary measures to carry into execution the convention regarding the exchange of populations, although that convention was not to enter into force until the 1st May, 1923, and that the two Governments concerned should, in taking these measures, follow not only the letter, but also the spirit of that convention.

No. 27.

Combined Meeting of—

The First (Territorial and Military) Commission (Twenty-fourth Meeting),
The Second (Régime of Foreigners) Commission (Fifth Meeting), and
*The Third (Economic and Financial) Commission (Sixth Meeting.).**

January 31, 1923, *at* 10·30 A.M.

Present :

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Diamandy.
M. Contzesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Rakitch.

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* These minutes do not represent the signed versions of speeches other than the British.

Turkey

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Albania.

M. Frasheri.

Belgium.

Baron Moncheur.

Portugal.

M. Ferrera.

Also present:

British Empire.

Sir E. Crowe.
Mr. Malkin.
Mr. Ryan.
Mr. Payne.
Captain Pound, R.N
Lt.-Col. Heywood.
Dr. Clemow.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Mr. Waley.
Major Young.
Captain Ashley.

France.

M. Fromageot.
M. de Lacroix.
M. Laporte.
M. Bargeton.
M. Desclosières.
M. de Percin,
Lt.-Col. Courtin.
M. Sanguinetti.
Commandant de Lamoricière.
Capitaine d'Astier.

Italy.

M. Arlotta.
M. Nogara.
M. Guariglia.
M. Galli.
M. Salem.
M. Guisi.

United States of America.

Mr. Dwight.
Mr. Amory.
Mr. Heck.

Japan.

Mr. Nagaoka.
Mr. Sato.
Col. Saigo.
Capt. Tsuru.
Mr. Tani.
Mr. Nishizawa.
Mr. Koshida.

Greece.

M. Politis.
M. Theotokas.

Kingdom of the Serbs, Croats and Slovenes.

M. Georgevitch.

Turkey.

Munir Bey.
Tevfik Bey.
Shukri Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries:

British Empire.

Mr. Spring Rice.
Mr. Wicks.

France.

M. Lagarde.

ITALY. M. Indelli.	UNITED STATES OF AMERICA. Mr. Belin.
JAPAN. Mr. Hotta.	GREECE. M. Collas.
TURKEY. Rechid Safvet Bey.	BELGIUM. M. Paterotte.

Interpreter: M. Camerlynck.

The Conference had before it the following documents:—

A draft treaty of peace (see No. 41, p. 686);
A draft declaration concerning Turkish prisoners of war and interned civilians (p. 771);
A draft convention concerning the frontiers of Thrace (No. 43, p. 785);
A draft declaration respecting the administration of justice in Turkey (No. 44A, p. 801);
A draft convention relative to the régime of foreigners in Turkey (No. 44, p. 790);
A draft declaration respecting the participation of Albania in the payment of the Ottoman Public Debt (No. 45, p. 804);
A draft convention respecting the régime for commerce with Turkey (No. 46, p. 804);
A draft final Act (No. 40, p. 684);

all of which were presented by the Allied delegations to the Turkish delegation.

LORD CURZON took the Chair and delivered the following speech:—

"We have now arrived at the end of labours which have lasted for over ten weeks, and the members of the conference have had in their possession for three days the text of the Treaty of Peace, which we now present and to which we invite the signatures of all the Powers here represented.

"This treaty consists of a large number of articles, 160 in all, with a number of attached conventions and declarations dealing with matters which it seems preferable to treat in that way, but which will only become operative if the entire treaty is signed. What is the object that this treaty is intended to effect? Primarily it is to bring to an end the terrible and devastating war that has now desolated Eastern Europe and large areas in Asia for more than eight years, and to enable us all to send back our various armies, whether Allied, Turkish or Greek, where I am sure that they all want to go, namely, to their families and homes. Secondly, it is to enable the Turkish State, which was vanquished in the war with the Allies, but ended by obtaining a victory over the Greek forces, to resume her place both in Asia and in Europe as a single and consolidated State, and to re-enter, if she be so minded, as she has declared her intention to be, the comity of nations. Thirdly, it is to build up relationships of amity, good-will and friendly intercourse on equal terms between the Turkish State, thus re-established, and the remaining Powers of Europe. Thus, peace, reconstruction and co-operation are our three objects. The question is: How far have we succeeded in obtaining them in this document?

"I will say little about the discussions of the past three months. They have been arduous and, on the whole, quite good tempered. Every delegation has made its own contribution, and the Turkish delegates, led by Ismet Pasha, have had to sustain, as they have done with much ability, though not without a good deal of reiteration, the brunt of every debate. Whatever be the issue, I am far from thinking that our labours have been thrown away. They have enabled each of us to ascertain and to appreciate the point of view of the others. A good deal of the suspicion which hung about our earlier meetings has been blown away by the breezes of Lausanne. We have established friendly and even cordial relations with each other, and when we separate it will be, I am convinced, with feelings of mutual regard and self-respect.

"As regards the actual form of the treaty and the manner in which it is presented, I must add a word of explanation on behalf of my colleagues and myself. There is not one of us who would not have preferred to submit a treaty every article and every paragraph of which should have been agreed upon by all parties in advance, so that the signatures would have been a mere formality. One reason for which this has been found impossible has been the factor of time. So protracted have been our labours that already nearly three months have elapsed, and had we continued to proceed at the recent rate of progress we might have been here for another three months or even longer before an agreed treaty could have been arrived at, even if such a consummation were ever humanly possible. But such a prolongation was really out of the question. Europe, and indeed the whole world, is waiting, not for further debates, but for results. Many of us have important duties elsewhere, and in some quarters we have already been severely taken to task for unreasonable delay.

"In these circumstances it was felt to be in the public interest that our proceedings should be brought, as I hope by common consent, to a termination. By far the greater part of the contents of the treaty have been examined, argued and revised, with the assistance of the Turkish delegation, over and over again. To a not inconsiderable portion they have already given their assent. As regards the remainder, there is nothing in the articles or declarations of which they have not been made fully aware. It is not possible for the Turkish delegation or for the Angora Government to declare that they are being confronted with a surprise or with a menace. One and all, we have endeavoured to frame this treaty, not by methods of pressure or of dictation, but by methods of conciliation, compromise and negotiation. The Allies, however, came to the unanimous conclusion that more could not be expected from further meetings of commissions and sub-commissions, and accordingly we have drawn up, in the form of a definitive treaty, the essential conditions upon which, on each aspect of the case, we are convinced that a general and honourable peace can be concluded, and this is the treaty that we submit to the conference to-day.

"It will presently be my duty, as chairman of the First Commission, to explain in some detail the lines upon which we have proceeded and the immense concessions that we may fairly claim to have made. I shall then be followed by the chairmen of the two other commissions, Marquis Garroni and M. Bompard, who will make a similar explanation of those parts of the treaty for which their commissions and sub-commissions have been specially responsible. And here let me say a word, in passing, about the regrettable disappearance from our midst of the senior French plenipotentiary, M. Barrère, who contributed so much, by his dignity and tact, to our earlier proceedings, and whose absence we all deplore. But, before I proceed to my personal task, let me call your attention to certain aspects of the treaty as a whole.

"In the first place, although the inviting parties have perhaps played the largest part, in conjunction with the Turkish and Greek delegations, in the preparation of the text, it will, I believe, be found that it meets with the general approval of all the Powers who are represented at this table or who have assisted, at one stage or another, in our deliberations. Hopes were, I am told, built at one time upon discord between the principal Allies, or between them and the remaining Powers. These hopes have been falsified, because all were found, without exception, to be animated by a common interest. I cannot recall a single occasion upon which a disagreement between them on any point of importance has been manifested at this table, and the same remark applies to the part that has been played by the American delegation, who both inside this conference room and outside it have contributed materially to the unity of which I speak. Thus this treaty is the combined offer to Turkey not of a single Power or group of Powers, but of all the Powers who are primarily interested, whether in the re-establishment of peace or in the recovered welfare of the Turkish people.

"Secondly, the treaty is an appeal, not to Angora or to the populations of Europe alone, but to the public opinion of the world. That opinion we fearlessly challenge. This is not a merely domestic affair. We want the world to pronounce whether the settlement that is now offered to Turkey is just and generous; whether it takes fair account of the legitimate aspirations of the Turkish people, and whether it offers to the Turkish Government conditions which will enable them, upon re-entering into final possession of their territories, to reconstitute the life of the Turkish nation without external intervention or internal servitude.

"Thirdly, I would like to call attention to the enormous advance that has been made towards meeting the Turkish case since first the European Powers began to draw up the terms of peace three years ago. When we contrast the conditions of the former Treaty of Sèvres with those of the present instrument, I do not think anyone will be found to complain of a lack of generosity or concession here. In fact we might be blamed for going too far. And this change has not been due simply to the fact that the Turks were victorious in the latest stages of the war with Greece, but to an increasing and sincere recognition of their own aspirations for national unity.

"I have heard it said that some sections of the Turkish people believe that we want this conference to end in a rupture, and that there are even some who would welcome a resumption of war. That is a mad idea. I am convinced that it is not entertained by a single member of the Turkish delegation at Lausanne. Is there a solitary person in Europe, or even in Asia, who thinks that anything is to be gained by a recommencement of hostilities? More people would be killed, more countries would be devastated, more bitterness would be aroused; and the future, not merely of peace but of Turkey itself, would recede further and further into the distance. Any fool can make war. It is the business of statesmen not to make war, but to end it—and I pray the Turkish delegation not to listen to the words of these wild counsellors, but to believe that there is not a delegate in this room, not a single man in the Allied countries, who would not view with horror the renewed march of troops or the firing of guns. I am convinced that the same is true of Ismet Pasha and his colleagues.

"I now turn to the work of the First Commission, which was appointed to deal with the questions of frontiers, the Straits, the islands, military and naval matters, minorities and some cognate subjects. I have had the honour of presiding over twenty-three meetings of this commission, five of which were devoted to Thrace, seven to the Straits, four to minorities, and the remainder to other matters. In addition, the sub-commissions, which I appointed, have held over sixty meetings; while the members of our delegations have further been engaged in almost hourly discussions, by day and often by night, with their Turkish and other colleagues.

"We first dealt with the question of Thrace. Here we have recognised the resumption of the full sovereignty of Turkey over the whole of Eastern Thrace, and have provided for the safety of her frontiers on both flanks, *i.e.*, against Bulgaria and against Greece, by the creation of demilitarised zones on both sides of the frontier. The security of Turkey from attack is further provided for by the allowance of large forces of gendarmerie in the Turkish demilitarised zones and by the maintenance of a military force of 20,000 men in Eastern Thrace, including the garrison of Constantinople. On the western side it is not in our power to concede the Turkish demand, which was not put forward till the last moment, for the main territory lying on the right bank of the Maritsa. But we have made a special concession of the bridge over the Maritsa at Adrianople and of the enclave beyond it, which will give to that city a station on the right bank with access to the main railway. I have never been able to understand why the Turks, if they attach importance to complete and unbroken railway connection with Constantinople, should not themselves build a line for the short distance between Adrianople and Baba Eski—in which case they would obtain all that they desire.

"As regards Western Thrace, I have so often stated in our earlier meetings the reasons for which it was found impossible by the Powers to upset the conditions established by the Treaty of Neuilly or to agree to a plebiscite of the population that I need not repeat them here.

"If I turn to the Straits, I am again dispensed from recapitulating the conditions laid down for the free navigation of those waters, because they have already been published to the world, and because I am prepared to defend them should the matter be raised at a further sitting of my commission. But I would like to call attention to the attempt which we have made, since the commencement of these discussions, to meet the susceptibilities of Turkey and to secure the adequate defence of her capital and its approaches. Not only did we withdraw any proposal to maintain permanent Allied garrisons at the mouth of the Dardanelles, but we reduced the demilitarised zones both there and on the Bosphorus at her request. We have provided for the maintenance of as many gendarmerie as Turkey may require on the Gallipoli peninsula and of a military garrison just outside it. We have excluded the Sea of Marmora from the demilitarised zones, and conceded to Turkey the right to construct such defensive works as she may consider necessary on the Asiatic shore, keeping open the necessary passage for ships by the non-fortification of the European coasts. Turkey's requests to transport her troops from one shore to the other and through the demilitarised zones and to recruit in the latter have been conceded. She will be allowed the use of aeroplanes and other methods for observation purposes. The Turkish fleet, unrestricted in strength, will be able to cruise and anchor in the Marmora and in the demilitarised zones, and a naval base and arsenal may be maintained at Constantinople, where also will be a land garrison of 12,000 men.

"If we add to these provisions that the Powers have agreed to restrict the number and size of the foreign warships which may pass the Straits, to limit the duration of their stay there, to require them to report to Turkish signalling stations, to set up an international commission to check their number and tonnage, and to abandon their own long-established right to maintain *stationnaires* at Constantinople, it will be seen how far we have gone in the desire both to satisfy the sovereign claims of Turkey and to safeguard her capital.

"But further, whereas we had insisted in the earlier stages of this conference upon arrangements for the adequate inspection of the demilitarised zones, whether in Thrace or on the Straits, by an Allied commission or by officers representing the interested Powers—a provision which was in itself entirely reasonable—when Ismet Pasha said that he could not sign a treaty containing such a clause, we consented to withdraw it and to trust to the honour of Turkey for the loyal observance of the agreement about demilitarisation.

"Finally, we have inserted in the Straits Convention an article for which he pleaded strongly, giving a guarantee for the inviolability of the Straits zones and the Turkish capital on the part of the Powers.

"I have spoken, so far, of the defence and protection of the Straits and of Constantinople from the inside. If we turn our gaze to the waters outside the mouth of the Dardanelles, we shall find that even greater safeguards are forthcoming. The Turkish delegation asked for the demilitarisation of the islands of Imbros, Tenedos and Samothrace. Of our own accord we have added the island of Lemnos. We have gone even further. Although the island of Imbros contains no Turkish population whatever; although its Greek inhabitants are among the most prosperous of the Levant; although the island of Tenedos contains only a small Turkish minority; and although both these islands have for nearly ten years been in the possession of Greece; yet we are offering, in view of the proposals made in 1913-14, to restore them to Turkish sovereignty. Finally, stringent provisions have been introduced into the treaty at the request of the Turkish delegation, by which the central group of Ægean Islands, *i.e.*, Mitylene, Chios, Samos and Nikaria, will be demilitarised, so that they cannot possibly be made the base of military, naval or air attack upon Turkey.

"I may here add that, whereas at one time it was proposed to place restrictions upon the strength or recruitment of the Turkish army in Asia, this proposal has not been insisted upon, and Turkey can henceforward make no complaint of her inability to protect herself. In fact, I should like to repeat here what I said at an earlier stage, that I do not think there is a State or a capital in the world occupying a position at all analogous to that of Turkey and Constantinople, which will be so fenced round with national and international guarantees as will here be the case. She reminds me of the moated castle of feudal times. If, inside these defences, she is not able to look after herself, it will be her own fault, and not that of anyone else.

"As regards the frontiers of Turkey in Asia, I need only refer on the present occasion to the boundary between Turkish territory and the Kingdom of Irak, for which Great Britain is in a position of mandatory responsibility. The decision of this dispute, which we have been unable to solve in this conference, has been referred by the British Government, with the full support of her Allies and with the unanimous approval, so far as I can see, of public opinion throughout the world, to the enquiry and decision of the Council of the League of Nations. The British Government might well have refused any concession on this point, since the claim is one which, in their opinion, Turkey has no legitimate ground for putting forward. But in their earnest anxiety to remove any possible cause of dissension they have made this offer, which was publicly announced yesterday in Paris, and the further prosecution of which is now in independent and impartial hands.

"The question of minorities is one which it fell to the lot of my commission to examine, and I cannot pretend to be satisfied with the result. In my judgment the Turkish delegation would have been well advised to adopt a more generous attitude; but they are the last who should have any cause for complaint of the articles in the treaty relating to this subject, since these represent the very minimum which the Allies could with honour accept. Indeed, there are omissions in the treaty on two points: firstly, as regards the exemption of minorities from military service, and secondly, as regards the application of the minority clauses to all minorities without distinction of race or religion, which have been severely criticised, but upon which the Powers gave way to the Turkish claims in their desire to secure an agreement.

"The Allied Powers have further used their influence with the Greek delegation to secure that the difficult question of the exchange of populations shall be regulated upon a reasonable basis of reciprocity.

They have persuaded the Greeks to agree to the return of all civil hostages in their hands immediately on the conclusion of a general agreement for the exchange of populations; they have induced the Greek Government to return all Turkish prisoners of war as soon as possible after the conclusion of a general agreement without asking in return for more than an equal number of Greek prisoners of war; they have also—though it must be admitted with profound reluctance—agreed that the proposed exchange of populations shall be conducted on the basis advocated by the Turkish delegation, namely, that of compulsory expatriation; and finally, they have induced the Greek delegation to agree to the unconditional exclusion of Western Thrace from the scope of any exchange agreement, although the Turkish delegation have subjected the corresponding retention of the Greek population in Constantinople to several very onerous conditions.

"These are a few among the many concessions which have been made by the Powers in their desire to conclude a peace which would be speedily and loyally accepted by both parties. I daresay that these concessions will be minimised by Ismet Pasha here. He may even repeat the paradoxical contention, in which I heard him once indulge, that the concessions have come from Turkey rather than from the Powers; but that mild jest will be understood at its real value by everyone outside this room as well as inside it, and when his Excellency returns to Angora, as we hope he may do, with the signed treaty in his pocket, it is certain that there will be no reproaches for Ismet Pasha's concessions, but rather a pæan of congratulations upon his triumphs.

"There now only remains for me before I resign the chair to my colleagues to speak of the reception which this treaty may meet with to-day. As to its reception by public opinion I entertain no doubt. It is much more likely to be criticised for what it gives away than praised for what it obtains. But no one at least will describe it as oppressive or harsh. Rather will it be cited as a great effort of magnanimity and conciliation.

"What his Excellency Ismet Pasha may say about it I cannot predict. I should like to think that he will accept the treaty straight away, and thus bring to a quick conclusion both our own labours and the still unterminated state of technical hostility between Turkey and those who wish to be her friends. He has often told me in this room and elsewhere that he sincerely desires peace, and I have believed and continue to believe him. I fancy that he entertains the same conviction about myself and about my colleagues in this hall. I have told him that a Turkey liberated, re-established and secure, will receive the friendship and the assistance of my Government and my country, and I may be pardoned if I add that these are advantages which are not lightly to be thrown away.

"There is another alternative which I am certain that he will not adopt. He will not reject this treaty, for that would be an act inconsistent not only with all his professions since he has been here, but with the interests of his own country, of which he has shown himself so redoubtable a champion. That is an hypothesis which I decline even to consider.

"If, on the other hand, he asks for a little further time to consider our proposals in their entirety before delivering his formal reply, that would be a request which I for one would be slow to refuse. But I hope that in that case his Excellency will not imagine that we are willing to commence the whole procedure over again, and that by further haggling and chaffering he will succeed in upsetting the work of the past three months and starting a new conference either here or in some other spot. In such a conference I at least could take no part. We are here not to go on bargaining until we all sink into the grave, but to settle and conclude. We are not buying or selling a carpet in an oriental bazaar, but are dealing with the destinies of nations and the lives of men. If Ismet Pasha, when his deliberations are complete, asks me to come back here and sign this treaty I will gladly oblige him, and so I am sure will my colleagues, from whatever distance.

"I once heard a wise man defined as one who never refuses a good offer. I conclude by commending this excellent saying to the head of the Turkish delegation."

MARQUIS GARRONI took the chair and delivered the following speech:—

"The draft treaty which has been presented to you by the delegations of the inviting Powers includes a scheme for the settlement of questions relative to the régime of foreigners in Turkey.

"While we have laid down in article 26 in clear and unmistakable fashion the principle of abolishing the Capitulations, we have considered that it is more consonant with the nature of the few guarantees which appear to us indispensable during a transitional period to put them in the shape of a special convention annexed to the treaty, so that it may be still more evident that the provision of these guarantees is not inspired by any political purpose inherent in the conditions of the treaty of peace, but solely by the desire to prevent, during the first few years of Turkey's new political and economic life, any dislocation which might arise not only as regards foreigners but also as regards Turkey herself from a sudden transition from one régime to another. We also hope by this means to ensure that prosperity which we all sincerely wish to the Turkish State, re-established in the fulness of its sovereign rights.

"In adopting the principle of abolishing the capitulatory régime we have willingly renounced all the privileges which foreigners formerly enjoyed in Turkey from the fiscal point of view, so that henceforward foreigners will be subject to exactly the same taxes and dues as Turkish nationals. Without paying heed to the complaints generally made in regard to the incidence of taxation and the valuation of the bases of assessment, we have left the Turkish Government entirely free and independent to legislate in fiscal matters; and we have placed full confidence in the Turkish Government as regards the just and fair application to foreigners of the resulting charges.

"In judicial matters, we have agreed to the suppression of all consular jurisdiction and all intervention by consular judges and dragomans in the Turkish courts; foreigners will thus be placed directly under the jurisdiction of the Turkish courts and will be entirely subject to the laws of the country, both in civil and in penal suits.

"While renouncing a system of such complexity—a system on which the organisation of the existence and activity of the vast foreign colonies in Turkey has been based for centuries—all we have asked of the Turkish State is to create an organism which provides a system for the appointment of such judges as will inspire complete confidence in the persons subject to their jurisdiction.

"All those who possess detailed knowledge of the fiscal privileges and judicial immunities formerly enjoyed by foreigners in Turkey, which were not devoid of justification in certain circumstances, must recognise the vast importance of the renunciation we are making and the moderation of our demands.

"The Turkish Government ought to discern in these conditions the best possible proof of the confidence which we wish to display towards the new Turkey and her legitimate national aspirations.

"We cannot imagine how the reform which we suggest as regards the selection of judges can do any injury to the sovereign rights of Turkey, since the members of the commission who would have to propose the judges, and also those judges themselves, would be officials appointed and paid directly by the Turkish Government without any intervention of foreign Powers, and would be answerable for their acts to the Turkish Government alone.

"The Turkish delegation have not raised any serious objection to this proposal, the appropriateness and justice of which have been demonstrated at several of our meetings. They have confined themselves to repeating that foreigners ought to have confidence in the Turkish judicial organisation and the Turkish bench of judges. As I have had the honour to point out previously, confidence is a thing which cannot be imposed but must be inspired. Thus my colleague, Mr. Child, who is attending this conference as an observer and has displayed so much sympathy with Turkish aspirations in this matter, has very justly observed that the safeguard for foreigners which we ask 'may exist in the mind of the Turkish Government, but it is vitally important that foreigners themselves should feel that it exists.'

"In this connection, the Turkish delegation must surely realise that all the foreign colonies are troubled and uneasy at the abrogation of the Capitulations, and that it is a matter of general interest to reassure those colonies by accepting our proposal.

"I wish, however, to point out that, in discussing this most important problem, we have never laid down any hard and fast conditions, but have limited ourselves to making suggestions or proposals. These the Turkish delegation have rejected, but they have not themselves presented any counter-proposal whatever, though we would of course have examined such a counter-proposal with the utmost care and goodwill. Thus all we have been able to do is to insert in the treaty the proposal as stated by me at the meeting on the 27th January—a proposal which appeared to us to conciliate all the interests legitimately concerned.

"In any case, the Turkish delegation ought not to forget (as M. Barrère observed at a previous meeting) that it is impossible to suppress the Capitulations if adequate guarantees are not given by the Turkish Government. Lord Curzon has been equally explicit, and supplemented his statement of the case with remarks of great interest and authority. I am further in a position to join M. Bompard in stating once more that our proposal does no injury to Turkish sovereignty; on the contrary, it is in harmony with the principle of justice which lies at the root of relations between civilised nations.

"Turkey ought not only to pay heed to the reasons which compel the Allies to adhere to their proposals; she ought also to consider that her resources are capable of great development, that she needs foreign help in order to enhance their value, and that she has every interest in encouraging foreigners to bring to her aid their knowledge and financial resources, which will certainly add to her economic prosperity.

"I am firmly convinced that the Allied delegations have approached the problem of the Capitulations with the keenest desire for conciliation. I therefore make one last appeal to his Excellency Ismet Pasha to be so good as to reconsider our proposals.

"I am not now speaking of the question of nationality, which lies within the sphere of my commission; complete agreement has happily been reached on that matter.

"My brief statement is finished.

"It only remains for me now to have confidence in the goodwill of all parties, so that it may be possible to attain a satisfactory solution.

"For a long time past the world has been tormented with the greatest calamities which could befall it. The duty of those responsible for governing the peoples of the world is to devote all the forces at their command to the attainment of equilibrium and to the prevention of fresh sorrow and disaster. We are conscious of the responsibility which weighs upon us, and we must not leave any stone unturned in the accomplishment of our duty. We have assembled in this hospitable country—which gives us a magnificent example of enlightened activity and of wide and constructive reasoning—for the purpose of reaching agreement. The word 'agreement,' which we have accepted as the object of our meeting and of this conference, signifies that none of the parties should remain immovable in their demands; for immobility would render it impossible for men to meet each other's views. We must therefore endeavour to effect this approach towards each other's point of view. We have given you a great example of this disposition by coming to meet you with all possible consideration and with most extensive concessions. The proof of this lies in the statement which we have just made to you.

"For your part you, the Turkish delegates, have several times over made declarations to us in the same sense. That shows that you recognise the necessity of this movement towards each other's point of view. If a closer examination of the situation shows you that you, on the contrary, have remained almost immovable in your original position, you ought in reason to end by modifying your attitude and acting in accordance with the intentions which you have professed. It will not then be difficult for us to get nearer to that position which we have not yet reached, of being able to shake hands. This manifestation of renewed friendship will confer a great consolation on suffering humanity, which waits upon you and upon us to obtain at last its peace, both material and moral, with a view to healing its many wounds which are still bleeding, regenerating its afflicted soul, giving fresh vigour to the body and creating the hope of a not too remote return to normal conditions in public and private life.

"Let us therefore unite courageously in a single will and purpose. We will then obtain, together with the advantage of all concerned, the blessing of the peoples who are conscious of real sovereignty—the sovereignty which lies in your thoughts—when they are conscious not only of their rights, but also of their own duty and the duty of others."

M. BOMPARD took the Chair and delivered the following speech:—

"The Turkish delegation have just heard a statement of the highly important concessions made by the First and Second Commissions with a view to reaching agreement. The Third Commission has made even greater concessions.

"The labours of this commission were largely devoted to the distribution of the Ottoman Debt. The fact of this distribution being made is in itself a great favour granted to Turkey, for in principle a State always remains responsible for its debt. A plan of distribution has been adopted; nay, far more than that—this plan not only takes into account the territorial changes consequent upon the war of 1914, but also—by combining that war with the Balkan wars of 1912-1913—effects the distribution in accordance with the territorial changes dating back to that time. The Ottoman Public Debt amounted in 1914 to £ T. 140,000,000 gold; after this treaty it will be reduced to £ T. 87,000,000, *i.e.*, a net gain for the Turkish Government of £ T. 53,000,000 gold.

"Further, the Ottoman Government is relieved by the draft treaty of large debts, for the remission of which it had no reason to hope:—

"(1.) The expenses of occupation, borne by the Allied armies, amount to over £ T. 50,000,000 gold. The Allies upon their arrival at Lausanne reduced the sum claimed in this respect, out of consideration for Turkey, to 30,000,000. In the draft treaty this demand is entirely given up. This is a very great concession to Turkey on the part of the Allies.

"(2.) The draft treaty provides that the pensions due from the Turkish Government to former Turkish officials resident in territories detached from Turkey shall no longer be chargeable to her.

"(3.) In the Treaties of Versailles, Saint-Germain, Neuilly and Trianon the Allies caused the claims which Turkey's former allies had upon her to be surrendered to them (the Allies), namely, £ T. 62,000,000 gold in all. These claims could justly be exacted; the Allies agree to give them up altogether. This is a great sacrifice, which Turkey should bear in mind.

"In return for all these concessions the Allies are claiming nothing for themselves, but merely ask for their nationals' reparation of the damage done by Turkey during the war. The amount claimed in this respect is, moreover, very small. It is fixed at a lump sum of £ T. 15,000,000 gold. This figure comprises all damage of every kind, including requisitions. The real total value of the damage done is far greater.

"To sum up, this European war has brought the external debt of France (which was non-existent in 1914) up to £1,300,000,000 sterling; that of Great Britain (likewise non-existent before the war) up to £1,000,000,000 sterling; that of Italy (also entirely new) up to £915,000,000. Turkey, on the contrary, had a debt of £ T. 140,000,000 upon the outbreak of war. After the war, in accordance with the provisions of this draft treaty, Turkey will find her debt reduced to £ T. 102,000,000, and this figure includes the total war damages which she is to pay to the Allies.

"No other Power has emerged from the war in such conditions.

"A treaty of commerce has been prepared. In it the Allies accept the Turkish specific tariff which was compiled during the war without the Allies being able to intervene in the framing of it. The Allies agree, moreover, that this treaty be concluded for a period of five years only.

"The texts which I have handed to the Turkish delegation complete those which were laid on the table just now by the presidents of the First and Second Commissions. Taken together, they form a complete treaty which is now offered to Turkey for her consent. Let this treaty be signed, and we will thus have laid down the conditions for the re-establishment of peace and have liquidated finally the war which has desolated the East for more than eight years.

"It is perhaps not superfluous to recall in a few words the origin of this war, if only for the purpose of establishing who were responsible. In 1914 I was French Ambassador at Constantinople, and am therefore entitled to contribute my personal recollections on this point of history.

"On the 2nd August, 1914, I went to see the Grand Vizier at his Palace at Yenikeuy in order to announce to him that Germany had declared war on France the day before. Saïd Halim said to me: 'In this war, which I deplore, Turkey will remain neutral; I am going to telegraph to our Ambassadors to make the declaration of neutrality provided for by The Hague Convention.' This happened at 11 A.M. At 2 P.M. on the same day, *i.e.*, three hours later, the German Ambassador in his turn went to see the Grand Vizier. Do you suppose that Saïd Halim renewed his declaration of neutrality to the German Ambassador? Not at all; far from it. He sat down at a table, signed a document, and handed it to Baron von Wangenheim. That document was nothing less than a treaty of military alliance with Germany. In handing it to the German Ambassador, Saïd Halim immediately called upon the 'Goeben' and the 'Breslau' to reinforce the Ottoman fleet in the Straits. True, war did not break out at once; nothing was ready for making war. But at the end of October, when mobilisation was completed, the 'Goeben' went out of the Golden Horn and opened hostilities.

"The responsibility for the war therefore rests entirely on Turkey, who, in 1914, turned against those Powers which had responded to her appeal in 1854 and fought with her for a year and a half for the safeguarding of her national independence.

"France, in whose name I am speaking here to-day, felt that ingratitude more keenly than any other country. Ever since the far-off days when Francis I and Suleiman the Magnificent concluded an alliance between France and Turkey, a constantly increasing friendship had been established between the two nations. That friendship had become a tradition of French diplomacy, and had extended from diplomacy into all relations between the two peoples. Thus it was a friendship four centuries in age that was betrayed n 1914.

"But let us turn away from this tragic past. When the evils of the war have been repaired, France—with her habitual magnanimity—will gladly banish from her memory this sorrowful period of Eastern history. The great soldier who entered Strasbourg in 1918 at the head of the French troops, with one sleeve of his tunic empty, having lost an arm at the Dardanelles, nevertheless speaks of the Turks only in praise of their military valour; even so the French, who are incapable of prolonged resentment, will willingly clasp the hands of former enemies which are held out to them. But before everything else, peace must be signed. It is even more necessary in the interest of Turkey than in that of Europe. It is for the purpose of signing peace that we are now assembled at the Château d'Ouchy.

"When we learnt that Turkey was sending to Lausanne at the head of her delegation a general who had won fame in war, we rejoiced; we felt sure that an eminent soldier who came direct from the battlefields, with his eyes still full of the horrors which war brings in its train, would be animated with those dispositions of the spirit and the heart which are most favourable to the conclusion of peace. Ismet Pasha, allow me in these grave circumstances and at this decisive moment to address you personally—you, who have assured us many times that you have full powers from your Government, and therefore hold peace in your hands.

"The draft treaty which we have just placed on this table, after long discussions with you and your delegation, is couched in most moderate terms. We have excluded from it everything which might wound even the most acute national susceptibilities. We have, on the contrary, put into it everything which is calculated to further a fruitful understanding between Turkey and foreign nations. It deserves careful study. Examine it therefore—closely no doubt, but also in the spirit in which such study should be approached; that is to say, raising yourself high above the petty bureaucratic details from which it has not always been possible to draw you away during the daily round of our laborious negotiations. Have nothing in view to-day but the goal to be reached, namely peace, and march straight towards that goal, without heeding the roughness of the path, as not long since you marched to victory.

"All know with what skill and courage you have defended your native soil; what is required now is no longer to fight, but to restore your country which is exhausted after ten years of war. Can this be done without peace? Of course not. Marshal Mustapha Kemal announced this himself in the eloquent speech which he delivered at Brusa on the 23rd instant. Now it is on you, Ismet Pasha, that the task of negotiating peace has devolved. You have in your hands a treaty which would re-establish peace. Examine it, therefore, keeping constantly in mind the destinies of Turkey which, I say once more, are placed in your hands."

LORD CURZON resumed the Chair.

MR. CHILD read the following statement:—

"The United States is represented at Lausanne for three purposes. Our country is represented to protect American interests, idealist or commercial, humane or financial, without discrimination. It is represented to protect, whenever possible, humanitarian interests regardless of their nationality. It is represented to serve in all appropriate ways the cause of peace.

"Our declarations have been free from the seeking of special privilege or favour. We have declared for the open door in the Near East, and our declaration and the spirit of the assent given by the Allied nations in the words of the chief delegates of Great Britain, and later in those of the chief delegates of France, speaking for the inviting Powers, constitute an accord creating, we hope, a new understanding, a new régime of international relationship in the Near East, not only between Western Powers seeking to aid development there by friendly and fair competition, but between the Near East, which desires freedom from political intrigue, and those nations who now have no desire for hazardous and costly experiments in policies of political interference.

"We have cast whatever weight our opinion might have in favour of freedom of the Straits and the Black Sea because of our sincere belief that the programme was for the good of all.

"We have spoken against the expulsion of populations when these appeared to menace human beings with suffering and with injustice. We have asked, in so far as it affected religious liberty, that religious functionaries should be allowed to remain where their people wanted them to be. We have asked for the protection of minorities. We have suggested that the problem of refugees in the Near Eastern regions affecting various peoples could only be effectively administered by some joint action, so that unparallelled suffering should be prevented and relieved, so that disease should be checked, so that duplication of effort and waste of resources and loss of economies could be avoided. We reiterate that suggestion, hoping that the matter may be discussed before the conference ends.

"If now at this important stage we can assist in bringing about a peace wanted by the whole world and necessary to the whole world, if we can add any contribution to give assurance that the hazards of hostility damaging to all and perhaps wholly destructive of the national vigour of new Turkey may be replaced by agreement, by a stabilised international commerce and the establishment of permanent normal conditions in the Near East, we are ready to give any help in our power.

"Perhaps we may be allowed to disclaim the intention to exert any moral influence, if by moral influence it is meant that we set forth our opinions as being more righteous than our neighbour's. We ask only that our opinions shall be received when they are founded upon that justice and good counsel which we are all seeking together. I know of nothing which particularly distinguishes the position of the United States here from that of any other nation, unless it is the fact that because we are not at war with Turkey and have not been involved in the ancient and by-gone politics of the Near East, we may bring to bear whatever power there may be in detachment and impartiality. If we have been able to be helpful toward peace we have done so because circumstances had saved us from involvement which would have stripped away our ability to maintain that impartiality and convince others of its sincerity.

"At this moment we are able to speak as those who have only that interest at stake which the whole world has at stake—peace.

"For weeks, in private conversations, we have endeavoured to speak in this way to the delegates with whom we have enjoyed close association. We have not concealed our views when they have been required, nor withheld whatever good offices we could render when they have been asked.

"We see no reasons why peace should not be made here; we believe peace will be made here, and this belief is not founded upon the sway, this sway and that, of accords and dissensions, of optimism and pessimism, but upon the existence of forces which lead to peace. Unless these forces are met by utter recklessness, they are irresistible. The failure of a peace here would be a world calamity; but for Turkey it would be an irreparable tragedy.

"We have observed that many of the difficulties experienced have arisen because of a failure of a newly-inspired nation, out of touch, because of warfare, with the other nations, to understand with how much willingness the other nations of the world are ready to recognise the claims of New Turkey to her independence and her sovereignty and her right to try under favourable circumstances of peace to work out her own destiny.

"As we have observed that other nations have failed to weigh the doubts and fears of Turkey, so have we observed that the New Turkey has failed to take into account the doubts and fears which it was natural these other nations might have in regard to the period during which Turkey is establishing her institutions.

"We have not failed to make it clear that, unless an honourable peace were made with Turkey, we could not regard with confidence her future. We have not failed to point out that only by peace, made now, will there be given to Turkey an opportunity to build up her institutions, to engage in development and commerce, to secure the co-operation of other peoples, to begin an orderly relationship with other countries through the exchange of diplomatic representatives and to establish herself in the family of nations. These are advantages to Turkey which are not written in a treaty. It is our view that, though unwritten, they are the most important prizes she could win here.

"She would lose them all if she failed to co-operate fully and frankly with the Allies, who also entertain an earnest desire to make peace.

"She would hazard all her own interests by delay. It is not our purpose to force any of our opinions upon her, but it is our purpose, with all friendly intentions, to point out again to the Turkish delegation that the peoples of the nations with which Turkey is making peace have become impatient with a passage of time which promises no further progress, which creates risks of conflict in the Near East, which fosters distrust and hardens rather than softens the public opinion of the world.

"The time has come. The time has come for rapid action, for immediate, sincere co-operation to make secure to Turkey at least the general principles of a just peace, upon which, later perhaps, the more complex and technical subjects of negotiations may be worked out and, when necessary, may be settled by the valuable aid of arbitration."

BARON HAYASHI spoke as follows:—

"After having listened to the most complete and, may I say the most sympathetic, statements of the three Presidents summing up the result of the work, and to the most sincere advice of the American delegate, the Japanese delegates desire to register their earnest hope that we agree to sign the treaty before us immediately, and if this should not prove possible, at all events in the very near future. To my mind, Turkey has secured nearly everything she had hoped for on the most important point, that is, her sovereign power, and Turkey will, as a matter of fact, enter into fresh relations with the rest of the world as a new Power. It seems to me that Turkey will be almost the only Power among our ex-enemies that has come out without loss of prestige and has emerged with a full promise of peaceful development. For the sake of civilisation and at the same time for the sake of Turkey herself let us hope that Turkey is not parting from us for ever."

M. DIAMANDY spoke as follows:—

"The proximity of Roumania to the East, and also her interests, oblige us to regard the present situation with genuine concern.

"The Roumanian delegation consider that the draft treaty presented to the Turkish delegation is reasonable and acceptable for Turkey.

"When one compares the position of Turkey as it was on emerging from the war which she had waged against the Allies and the situation accorded to her by the treaty, I cannot help thinking that she has obtained a maximum for herself at Lausanne.

"I also cannot refrain from recalling certain considerations which are derived from the recent history of the Near East. We have experienced a Balkan war which was won by one of the parties engaged; but the intransigence of the winning side caused it to lose the fruits of its victory and sacrifices.

"I devoutly hope in the interest of peace and of Turkey that history will not repeat itself.

"The Turkish delegation know that Roumania did not declare war on Turkey; it was Turkey who broke the bonds of mutual friendship and made war upon us by sending her troops into Roumanian territory together with our enemies.

"Roumania's desire is that after peace has been concluded together with her Allies, she may be the first Power to resume friendly relations with Turkey.

"I feel that it is my duty to make an appeal to the Turkish delegation in my turn to ponder carefully the attitude which she is going to take—to regard Turkish interests not from a doctrinaire and abstract point of view, but in their real essence and in their political setting. I believe that the Turkish delegation, weighing the advantages of peace and the all too great dangers of temporising at the present juncture, and realising the grave responsibility which rests upon them, will take a wise decision.

"I have strong hope that Ismet Pasha will not let himself be impressed by incidents or by illusory expectations, and that he will first and foremost render his country the great service of giving her peace."

M. RAKITCH observed that the draft treaty presented to the Turkish delegation recorded the numerous concessions made by the Allies, in a spirit of conciliation and with a view to obtaining peace. He hoped that Turkey would show the same disposition by agreeing to sign the treaty, which gave her satisfaction on all points.

ISMET PASHA said that he took note of the statements just made by the presidents of the commissions, the first United States delegate and the first Japanese delegate, and also those of the first delegates of Roumania and the Serb-Croat-Slovene State.

He had already stated several times that the Government of the Grand National Assembly of Turkey had no designs upon the territories of the former Ottoman Empire which lay outside the frontiers of Turkey. The present Turkish State was one of the States which specially desired to limit their authority to their own national territory. The National Pact was inspired by this essential principle, and its first article laid down that the fate of the territories entirely peopled with Arab majorities ought to be settled in accordance with the freely expressed will of the local population.

The Turkish delegation, in their fidelity to this principle, which had likewise been proclaimed by the Allied Powers, felt it their duty to make a solemn declaration that Mesopotamia, the Hedjaz, Egypt, Syria and all other territories outside the frontiers of Turkey had the right to choose in perfect freedom the administration which suited them.

In making this declaration Ismet Pasha could not refrain from expressing one wish, with a view to that general pacification, the desirability of which the Allied delegations had for their part constantly recognised ever since the beginning of the conference: namely the wish that persons who had worked for their nation's cause and were now exposed to prosecution might have the benefit of measures of clemency.

The commissions had hitherto discussed many questions which lay within their province. The Turkish delegation had never failed to state their views on each of these questions. The drafts prepared by the Allied delegations, which the Turkish delegation had barely had time to go through, included firstly the questions on which the two parties had already reached agreement; secondly, other questions on which agreement had as yet been unattainable; and finally, many matters of great importance which were entirely new and had not formed the subject of any discussion at all up to the present moment.

Such, for instance, was the limitation of the Turkish military forces in Turkey's European territory. The Allied delegations doubtless remembered that at the time when the régime of the Straits and the demilitarisation of the neighbouring zones were under discussion, the Turkish representatives had always maintained that the measures of military restriction must be confined to the delimited areas alone. In the same order of ideas the Turkish representatives, when they accepted that régime, had laid down as an essential condition that there should be no other military restriction; and this had always been promised to them.

The Turkish delegation considered it a good method to collect together in a single whole the numerous questions which had been discussed at length. In this way one would have a crystallised statement of the questions in dispute. The Turkish delegation begged the presidents of the commissions kindly to give them the opportunity of stating, at a meeting which could only take place after an interval of a week, their detailed observations on the whole of the questions just laid before them. Ismet Pasha could assure the Allies that peace, complete and lasting peace, was what he wished and sought. The sacrifices made by Turkey, ever since the beginning of the Lausanne Conference, in order to achieve peace could not have escaped the notice of any spectators of good faith who had followed the negotiations. The Turks were seeking peace not only for their own sakes, but also—and to a very great degree—for the tranquillity of the whole world, so as to put an end to the sufferings which all nations had been enduring for years. Ismet Pasha therefore demanded a delay of eight days before the next meeting of the commission. He hoped that good use might be made of that interval with a view to seeking and utilising all possible means of bringing about peace.

Ismet Pasha thought that the efforts which Mr. Child had promised to make strengthened his hopes for the preservation of world peace.

He was firmly convinced that the desire for peace would reappear in the conference itself with an intensity which would be of happy augury.

The meeting was suspended at 1·10 P.M. in order that the prosidents might deliberate on the reply to be made to Ismet Pasha's request.

The meeting was resumed at 2 o'clock under the presidency of LORD CURZON, who spoke as follows:—

"I must apologise on behalf of my colleagues and myself for having kept the conference waiting so long, but the delay has been due to the difficulty that we have experienced, in consequence of arrangements already made which particularly concern myself, in dealing with Ismet Pasha's request. His Excellency has asked for an interval of eight days before he gives the reply of the Turkish delegation in regard to the treaty, and he is anxious, as I understand, to have private conversations during that period with the Allied delegates who are sitting at this table. As I have said in my previous remarks, I think it quite reasonable that the Turkish delegation should ask for a certain space of time in which to consider their reply. At one time I had thought that they might find it necessary to go to Angora for this purpose, but I heard with the greatest satisfaction that this would not be necessary, and that Ismet Pasha has full powers which enable him to come to a decision here himself. We are therefore only faced with the problem of deciding what delay is necessary in order to enable his Excellency to form a final opinion. Now, at this point my personal position comes in. I happen to occupy a post in my Government which renders it absolutely necessary that I should return to London. I need not explain the circumstances, but the conference will readily understand that, as the conduct of the business here on behalf of the British delegation has been so much in my hands, my Government feel it necessary that I should represent them to the end. I have now been summoned away, and my present intention and that of my delegation is to go on the 2nd February. Now we are confronted with the demand of Ismet Pasha for eight days of reflection. May I put this point to him in full friendship? In the first place, I do not think there is quite so much novelty in the treaty as he alleges; there are very few clauses in it which can occasion him any surprise. In the second place, as regards his request for eight days, the treaty—the greater part of which he already knows—reached him on the morning of the 29th January; he has therefore already had two or three days to consider it. I should be the last to deny him further opportunities, and should welcome any conversation with him during the few remaining days. I am sure my colleagues would say the same. I cannot postpone my departure indefinitely nor remain here for eight days, but I will do my best to stay till the evening of the 3rd February, or even the 4th February. By that time a full week will have elapsed since the treaty was laid before the Turkish delegation. I am, like Ismet Pasha, a hard worker, and often sit up late at night. I shall be only too pleased to spend the whole time working, and to pass as much of it in Ismet Pasha's company as he likes. It will be very strange if he is not able to define the views of the Turkish delegation by the end of that period. I put this question to him not only in his own interest, but in the public interest too. I think everyone will regard it as very unfortunate if the conversations take place or a final decision is taken in the absence of the British delegation. I do not see how an arrangement could be arrived at in these circumstances. Therefore, surrendering my own duties and my own convenience for the further period of one or two days, and in deference to Ismet Pasha's representations, I am willing to remain here provided he will begin the conversations at once, so that I can leave at the beginning of next week."

ISMET PASHA said that he fully appreciated Lord Curzon's personal position, and there was nothing he desired more than to conclude the work before the departure of the head of the British delegation. He promised to do all in his power for that end; but he felt bound to observe that the first and most important thing was to detach clearly the points still in dispute, so that decisions might be taken in regard to them in full cognisance of the issues. The draft treaty communicated by the Allies contained entirely new clauses, by no means negligible in importance, the examination of which had never been approached. If therefore the business were not completed in three or four days because it was physically impossible, he hoped that there would not be any insistence on that period. He repeated that in any case he would do his best in all sincerity.

LORD CURZON said:—

"I told Ismet Pasha that I would do my best, and I now expect him to do his best. He will have full opportunity to talk with me for as long or short a time as he likes when representing his views; and when I depart on the 4th February I expect to have the pleasure of shaking him warmly by the hand and congratulating him on a common victory."

(*The commission rose at* 2·20 P.M.)

No. 28.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Twenty-fifth Meeting (Eighth Meeting of the Straits Commission), February* 1, 1923, *at* 10·30 A.M., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir Horace Rumbold.

FRANCE.

M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Caclamanos.

ROUMANIA.

M. Diamandy.
M. Contzesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.

RUSSIA, UKRAINE AND GEORGIA.

M. Chicherin.
M. Vorovsky.

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* These minutes do not represent the signed versions of speeches other than the British.

Also present:

BRITISH EMPIRE.

Sir Eyre Crowe.
Mr. Malkin.
Mr. Ryan.
Captain Pound, R.N.
Lieut.-Col. Heywood.
Dr. Clemow.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Major Young.
Captain Ashley.

FRANCE.

M. Fromageot.
M. Laporte.
M. de Lacroix.
M. Bargeton.
M. de Percin.
Lieut.-Col. Courtin.
Commandant de la Moricière.
M. Sanguinetti.

ITALY.

Admiral Chelotti.
M. Arlotta.
M. Guariglia.
M. Guisi.
M. Ciamarra.
Dr. Senni.

UNITED STATES OF AMERICA.

Mr. Dwight.
Mr. Amory.
Mr. Gillespie.

JAPAN.

Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

GREECE.

General Mazarakis.

TURKEY.

Munir Bey.
Tevfik Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

ROUMANIA.

M. Contzarida.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

Lord Curzon said that the First Commission had assembled to consider the convention for the regulation of the Straits.* The commission would remember that in the earlier stages of its sittings, now many weeks ago, it had devoted several days to the discussion of this matter. As the result of those proceedings the present convention had been drawn up, and had been circulated some days since to the members of the various delegations. He had expressed the opinion that if any of the delegations wanted to discuss the convention they should have an opportunity of doing so. The Russian delegation had indicated that they desired to take advantage of this opportunity, and some other delegates who had an interest in the matter might also wish to speak. He would first invite the Turkish delegation to state their views, if they desired to do so.

Ismet Pasha said that the Turkish delegation felt they had made an enormous concession to the Allied Powers, in the cause of peace and in the general interest of mankind, by agreeing to the opening of the Straits to merchantmen and warships in accordance with the rules framed during the discussions of the conference. One could easily measure the magnitude of that concession if one considered that this régime of freedom and the measures of demilitarisation connected with it weakened the means of defending the capital of Turkey. The Turkish delegation hoped that this proof of goodwill, which the Turkish people had given spontaneously in the interest of all other nations and, in particular, of the countries possessing an active maritime trade, would constitute one of the essential factors in ensuring the strict observance of the rules adopted, and the inviolability of the territory belonging to the State which made this sacrifice.

The Turkish delegation wished on the present occasion to repeat their previous statement in regard to military restrictions in Eastern Thrace, which the Allied delegations had sought to introduce at the last moment in the districts situated outside the actual demilitarised zones.

The acceptance by Turkey of the new regulation of the Straits and the régime of demilitarisation connected therewith had always been subject to the condition that there should be no other limitation whatever on the Turkish forces, and this had been promised to her several times. The Turkish delegation, therefore, asserted that this still continued to be an essential condition of their adhering to the provisions concerning the Straits.

The Turkish delegation had also stated on the 8th December that the presence of a garrison in the Gallipoli Peninsula was indispensable for the protection of that district against any surprise attack. Later on, they had asked the Allied Powers to make proposals in regard to the numbers of this garrison. As this measure of elementary security could not constitute any danger for the freedom of the Straits, the Turkish delegation had no doubt that the eminently just demand which they made in this connection would be satisfied

There were, besides, certain points in the Allied draft which it had not as yet been resolved to introduce. Ismet Pasha hoped that these questions might also be settled without difficulty.

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* See No. 42, p. 772.

He added that the Straits question presented one particular feature for the Turkish delegation, namely, that it was inseparable from the general question of peace. He reserved the right to state his views on this subject simultaneously with his reply to the sum total of proposals submitted to him in the shape of the draft treaty.

M. CHICHERIN made the following remarks:—

"After six weeks of involuntary leisure—the best proof of our wish for peace and desire for conciliation—we have received a document, entitled 'Draft Convention respecting the Régime of the Straits.' This document differs in many respects from the drafts previously presented by the inviting Powers. They have made some concessions in it; it also contains some concessions made by Turkey. Who has made these changes in the draft previously presented, and for what reasons? We do not know. It is the product of clandestine negotiations. These negotiations are non-existent for us. We are confronted with a draft convention respecting the Straits, framed without the participation of Russia, the Ukraine and Georgia.

"It is for us a new draft, which ought still to be negotiated. By presenting a new counter-draft, the inviting Powers are placing themselves at the starting point of negotiations, at the moment, moreover, when the conference is drawing to a close. The Russo-Ukrainian-Georgian delegation are confronted with a draft which represents the will of other parties. If you wish to impose upon us a draft convention which represents the will of other Powers, tell us so; our people will know it; the world will know it. But perhaps the positions taken up on one side and on the other had already been defined sufficiently? Not at all. We have always said that we were willing to negotiate, that there ought to be mutual concessions. The proposals made by us in our counter-draft have simply been passed over in silence. No one came to meet us. And to-day, when the conference is nearing its end, we are presented with a new draft which it is proposed to regard as final. We would, however, have made concessions if there had been negotiation with us. We were ready, in the interest of general conciliation, to make a concession of the highest importance. We were ready to adopt as our own the proposal of the Turkish delegation for limiting foreign naval forces in the Black Sea, with amendments and improvements. The Turkish proposal was that the tonnage of foreign naval forces should be equal to the strongest fleet in the Black Sea. We consider that dangerous, for a Black Sea fleet could be artificially increased; and if the foreign forces united with it, the balance of power in the Black Sea would be upset. We therefore intended to propose that the combined tonnage of all foreign forces should be equal to the average strength of the Black Sea fleets. As the Turkish fleet belongs not only to the Black Sea, but also to the Ægean Sea and the Sea of Marmora, there are, strictly speaking, five Black Sea fleets. We would therefore have proposed that the total tonnage of foreign fleets should be equal to one-fifth of the tonnage possessed by the Black Sea Powers. We were prepared to propose the following text:—

> "'The Turkish Government may in any case permit the passage through the Straits into the Black Sea of light warships (excluding submarines) belonging to foreign States, for the protection of those States' commercial interests, for scientific or humanitarian purposes, or to assist their nationals in the event of some natural calamity. Nevertheless, the total tonnage of warships, belonging to States not bordering on the Black Sea, which may pass through the Straits at one time and may be within the Black Sea and the Straits simultaneously shall never exceed one-fifth of the combined tonnage of the armed ships (excluding submarines) belonging to the war fleets of all the Black Sea littoral States, except Turkey.'

"But there is yet more. We wished to examine point by point the texts of the various draft conventions respecting the Straits and to present amendments. 'To conclude a treaty' means elaborating every detail conjointly, whereas the new draft presented to us to-day expresses the ideas of the Allies alone. We therefore ask: 'Who is to-day proposing this new draft? and by what right is a new draft proposed, which has been framed without the participation of all the parties concerned? How can such procedure be justified? I put the question: Do you wish to impose on Russia, the Ukraine and Georgia a treaty which represents the will of other Powers? or are you ready to repair your error and negotiate the draft convention point by point—that is to say, in a sub-commission?'"

LORD CURZON spoke as follows:—

"If nobody else desires to speak, I will endeavour to reply to the remarks of the Turkish and Russian delegations.

"Ismet Pasha laid stress upon two points. The first of these was the proposed limitation in the draft treaty of the Turkish forces in Eastern Thrace. I need hardly remind him that this question does not directly arise to-day, for of course it has no very immediate connection with the question of the Straits; but as he has raised it, I may say this in reply. He will remember that we have taken steps as regards Eastern Thrace for the demilitarisation of large zones along both the Bulgarian and the Greek frontiers, and that in the report of the sub-commission which was presided over by General Weygand, a strict limitation was laid down in regard to the number of gendarmerie that may be maintained in these demilitarised zones. Therefore the Turkish delegation are already familiar with the process of limitation as applied to Eastern Thrace. Further, they will remember that whereas in the original Treaty of Sèvres the Turkish garrison at Constantinople was limited to 700 men, that number has now been increased to 12,000. If, therefore, you consider the present military strength which is to be permitted at Constantinople and in the demilitarised zones, it is obvious that the presence of large military forces in Eastern Thrace is not only unnecessary, but might constitute a great danger. That is the reason for the limitation of Turkish forces in Thrace; and, for my own part, I expected not a protest from the Turkish delegation, but rather an expression of gratitude for the large numbers which it is proposed to allow.

"Ismet Pasha's second point was with regard to the demilitarised zones of the Straits, where once again he asked for the installation of a Turkish garrison at Gallipoli. Does not his Excellency realise that it is useless to talk of a demilitarised zone if you proceed immediately to militarise it by placing a large garrison at the most important place within it? That is really a contradiction in terms. As regards the position at the mouth of the Straits, do let me remind his Excellency of the concessions which we have made. In the first place, the Turkish Government is to be allowed to keep a force of gendarmerie unlimited in number upon the Gallipoli Peninsula. Secondly, as regards the troops and guns, the Turkish Government is to be allowed to keep a substantial garrison at Kavak. I looked this place up on the map before I came here to-day, and found that it is only 1 mile from the Bulair lines and little more than 14 miles from Gallipoli itself. Thus the Turks will have the opportunity for keeping a garrison, if not inside the door of Gallipoli, just outside on the threshold. Let me remind Ismet Pasha again that when Turkish troops had to be sent to the Gallipoli Peninsula in 1915, it was from Panderma that they went. This opportunity might occur again. The Turkish delegation are therefore labouring a false point if they bring up the question of a garrison at Gallipoli time after time. As I have already said, it is a point which the Allies are unable to concede, and one which has so little importance, even from the Turkish point of view, that they are making a mistake in pressing it.

"I will now reply to the remarks of the Russian delegation. M. Chicherin's observations related in the first place to questions of procedure, and, secondly, to matters of substance. I will deal with each in turn. As regards procedure, M. Chicherin complained more than once in the course of his speech that the draft now before us, which he has had in his hands for some days, is an instrument drawn up without the participation of Russia, from the discussion of which the Russian delegation have been excluded, and that it has been produced, to use his own phrase, in a clandestine way. I do not think that this charge is true, as I shall endeavour to show; but even in so far as there is any truth in it, I shall show that it is the fault of the Russian delegation themselves. Since we met here at the end of November there have been seven meetings of the commission for dealing with the question of the Straits, at all of which the Russian delegation were present, and fully availed themselves of the opportunity of stating their point of view. Nobody can say therefore that M. Chicherin was deprived of the opportunity or that he failed to take advantage of it. On the contrary, we all of us recollect his many speeches on the subject to which we had the pleasure of listening. I know he was dissatisfied that the convention was not discussed in a sub-commission, in which he would no doubt have taken a very active part. But that was the decision of this commission. It decided to discuss the main principles itself, which was done, and then to hand over the technical details to be dealt with in conversations between the military and naval experts. These experts met to draft and interpret the clauses, and placed themselves unreservedly at the disposal of the Russian delegation for any explanations which the latter might require. The Russian experts met the Allied experts on two occasions. The fact that on the second occasion the Russian experts left the room was not the fault of the Allied experts, nor was it due to any lack of courtesy on their part. The idea that we had any desire to keep the Russians out in the cold, to "écarter" them, as M. Chicherin said, is really without foundation. M. Chicherin has asked for a sub-commission to be appointed now at the last moment. I really cannot think he is serious in that request. The work of the commissions and the sub-commissions is finished, and, even for the pleasure of hearing his views again, it is impossible to make the concession which he desires.

"The point of substance raised by M. Chicherin concerned the limitation of the naval forces which will be at liberty to enter the Black Sea through the Straits. I do not think M. Chicherin has made sufficient allowance for the essential reasonableness of our proposals and for the great advantage which they give to his own country and his own Government. The limitation which we propose is as follows: In time of peace any one Power can send ships of war into the Black Sea equal to the total maximum naval force of any one of the Black Sea Powers. If no Black Sea Power possesses a naval force greater than three ships of 10,000 tons each, then the other Powers will be able to send any ships up to that total—in other words, the maximum naval force to be sent in by one Power is not to exceed the greatest force in the Black Sea. M. Chicherin says that this would upset the equilibrium in the Black Sea; but it obviously does not do so. It really leaves the solution of the matter in the hands of Russia herself, since she is and undoubtedly will remain the most powerful nation on the shores of the Black Sea. Whatever be their naval intentions in the future, it is hardly likely that Bulgaria or Roumania will ever possess naval resources comparable with those of Russia. Therefore, if M. Chicherin is nervous about the strength of naval forces in the Black Sea he has the remedy in his own hands, because it is the strength of the Russian navy that controls the whole matter; and so far from being under a disadvantage, Russia is mistress of the situation.

"I now turn to one of M. Chicherin's concluding remarks. He said that the draft convention represents the ideas of the Allies alone. I have two answers. Firstly, the convention was only drawn up after we had heard at great length the views of M. Chicherin and the Russian delegation themselves. It is therefore not fair to say that we failed to give full consideration to their views. The second answer is that, so far from representing the views of the Allies only, this draft represents almost without exception the views of the Turkish delegation. Surely if it had been drawn up by the Allies alone, the Turkish delegation would have been the first to inform us of the fact; but they have not made that discovery, because it is not supported by the facts.

"M. Chicherin says: 'Do you want to impose this convention upon us?' Of course not. We are not in a position to impose it upon the Russian delegation. I hope very much that they will sign it. I am largely responsible for their being here, because I have always entertained the conviction that the assent of Russia is both necessary and desirable with a view to a proper, peaceful and permanent solution of the question. I should therefore be very much disappointed if we went away from here with a treaty to which is attached a Straits Convention that is not signed by Russia. But it is not fair to suggest that we are imposing this treaty; for if M. Chicherin is unwilling to sign it, bitterly as we shall regret his action, we shall have to accept it."

M. Chicherin spoke as follows:—

"I much regret to see from the reply of the president that the divergences which separate us are insurmountable.

"The president stated that there have been seven meetings of the Straits Commission, at which we could have negotiated. I venture to remind you, Gentlemen, of what took place during those seven meetings. Although we have had the honour to be in the same room as the representatives of the inviting Powers, that does not mean that we have been able to negotiate. Negotiation means joint discussion of broad lines and of details, analysis of divergences, ascertaining in what respects interests clash and finding compromise between them. What have we been able to do during the seven meetings? Our general scheme was rejected *in toto*. When we presented our counter-draft, which contained concessions, it was rejected *en bloc* without even discussing it. It is quite untrue that the Straits Commission decided against the creation of a sub-commission. Just the opposite was the case. At the meeting on the 8th December I asked when the sub-commission for the discussion of the draft convention was to meet; I was told that this was still premature, that the time had not yet come. The president even said that 'M. Chicherin could shut himself up in a room and prepare the text, which would facilitate the work.' I have attended all the meetings of the Straits Commission, and I declare that the Russo-Ukrainian-Georgian delegation have not taken part in a decision of that commission to the effect that there should be no sub-commission, nor have they witnessed the adoption of any decision of the kind. As regards the work of the experts, we received an authoritative explanation from the president of the conference that the meetings of the experts would be solely for the purpose of giving explanations for the information of those taking part. It was therefore agreed that the consultations of the experts would not imply any negotiations. Our experts came away from one of these meetings, firstly, because it was desired to exclude Russia, the Ukraine and Georgia from the question of demilitarising the Straits, and, secondly, because the experts' meetings were turned into negotiations which were conducted without the participation of Russia and her allies.

"Since the 20th December, we have been completely banished from the negotiations, despite our repeated demands. Is it possible now, under present conditions, to begin these negotiations again? Take, for instance, heading (*a*) in paragraph 1 of the annex to the convention: ' Complete freedom of navigation and passage by day and by night under any flag and with any kind of cargo, without any formalities or tax or charge whatever unless for services directly rendered, such as pilotage, light, towage or other similar charges, and without prejudice to the rights exercised in this respect by the services and undertakings now operating under concessions granted by the Turkish Government.' I ask, what are these ' taxes ' ? What are these ' services and undertakings ' ? We ought to discuss these taxes, we ought to examine the status of these services and undertakings, we ought to ascertain whether they merit confidence. We are asked to give pledges binding on Russian commerce. These taxes can decide the fate of all our southern trade. We are required to sign a blank cheque. This shows how many questions arise in connection with a single paragraph. It is not the experts but the plenipotentiary delegates alone who can pledge their Governments in these matters. The president told us that the delegations of the inviting Powers had listened to the wishes of Russia, the Ukraine and Georgia and had taken account of them in their draft; in the same way the Tsar used to listen to the wishes of the representatives of the provinces, and used to take the decision himself. This is not the way in which we regard relations between sovereign States.

" As regards the root of the matter, it is too late to discuss it any further. But I wish to make one observation. The president has said that the decision regarding naval strength rests with Russia; that means that Russia must arm. There is the advice which is given to us.

" The president says that the draft also embodies the views of Turkey. We know how these views are imposed on her by dint of an ultimatum and threats of war. We are told that a treaty is not being imposed upon us when you say to us ' Sign, or go away.' This summons is what is commonly called ' imposing a treaty.'

" Taking account of the fact that the draft convention concerning the régime of the Straits presented by the inviting Powers threatens the security and vital interests of Russia, the Ukraine and Georgia;

" That it makes it impossible to establish a stable and peaceful situation in the Near East and on the Black Sea;

" That it will result in imposing on Russia and the other countries an additional burden of naval armaments and places an obstacle in the way of establishing general peace;

" Remaining faithful to the provision of article 1 in the Russo-Turkish Treaty of Moscow, dated the 16th March, 1921 (subsequently confirmed by the Treaty of Kars between Turkey and the Trans-Caucasian republics, and by the Treaty of Angora between Turkey and the Ukraine), which declares that each of the two contracting parties undertakes in principle not to recognise any treaty of peace or any international act which it may be sought to impose upon the other party;

" And lastly, being firmly convinced that the Turkish people by continuing the struggle will free itself from conditions of peace imposed by the strongest States of the moment—conditions which would violate Turkey's independence and sovereign rights and constitute a permanent threat to the security of Constantinople;

"The Russo-Ukrainian-Georgian delegation do not agree to the draft of the inviting Powers, make it clear that they are irreconcilably opposed to the whole policy of domination and violence expressed in this draft, and wish to emphasise the inability of the present conference to accomplish a work of real peace.

"At the present time, there is no agreement with Russia, the Ukraine and Georgia. There have been no negotiations nor even attempts at negotiations with them. Under these conditions there cannot be any decision in the Straits question. There is none and there will not be any without Russia, the Ukraine and Georgia. If the convention is signed without Russia, the Ukraine and Georgia, the latter will retain an entirely free hand and complete liberty of action. If certain Powers sign this convention without Russia, the Ukraine and Georgia, the Straits question remains and will remain open."

LORD CURZON said:—

"I will only reply in a few sentences to the remarks which we have just heard. In the first place, I cannot congratulate M. Chicherin on his solitary joke. It is one of the worst I have heard. Jokes are of two kinds: people laugh because they are good or because they are bad, and at the latter they laugh loudest. On this occasion the joke is in the latter category. Because I made the suggestion that the obvious way of limiting the naval forces which enter the Black Sea was to reduce the strength of the forces inside, M. Chicherin now turns round and says that that is encouraging Russia to augment her forces. That, I feel, is a very bad joke.

"M. Chicherin is mistaken about the sub-commission. It was never promised. On more than one occasion I said here quite explicitly that we had no intention to appoint such a body. His complaint on that point was without foundation.

"He appeared to be very much vexed that the ideas and counter-drafts which were submitted by his delegation in the past—some two months ago—were, as he said, rejected *en bloc*. Why was that so? Because no one had a good word to say for them. When he came here there were ten States represented in this room, the majority of whom have a great interest in the Straits question and in the Black Sea. Was a single voice lifted in favour of his proposal? Did Turkey, Roumania or Bulgaria say a word on its behalf? If you have a block of nations—eight, nine or ten—on the one hand, and on the other hand a solitary State putting forward views which nobody shares, is it in the spirit of business a practical proposition that the eight, nine or ten Powers should concede the greater part of their case, in which they believe, in order to satisfy the case of a single Power with whom they find themselves in complete disagreement? No man in the world ever conducted business on such a basis.

"I was sorry to hear the concluding words of M. Chicherin. He has announced to us that Russia will have no voice and take no part in this convention. The responsibility for that rests on the Russian Government; and even if it be their present decision, I hope the time may come, perhaps in the not distant future, when on reconsidering the matter they may find it in their own as well as in the public interest to give the signature which I understand they refuse to-day.'

(*The commission rose at* 11·20 A.M.)

APPENDIX TO PART I.

Bulgarian Economic Outlet to Ægean Sea.

No. 28A.

Explanatory Note.

SUBSEQUENT to the report of the sub-commission shown on p. 79, private conversations took place at Lord Curzon's request between the British, French and Italian experts and the Greek and Bulgarian delegations.

The Bulgarian economic experts represented that the port of Dedeagatch was not suitable for the construction of a large harbour, and that a better site could be found some 6 kilom. to the west: they added that the construction of the port by Bulgarian capital would be impossible so long as this territory was not placed under Bulgarian administration, and so long as the railway connecting it with Bulgaria remained under Greek control.

M. Veniselos, while holding the view that the real economic outlet for Bulgaria was at Salonica, and while offering the Bulgarian Government the same rights at the latter port as he had promised to the Kingdom of the Serbs, Croats and Slovenes, agreed to the provisions which appear in the record of proceedings given below. (See Paper No. 28B.)

According to these provisions, Bulgaria was to obtain a site on the Ægean coast on a lease of ninety-nine years, and to establish Bulgarian administration in the harbour eventually to be constructed there, while the railway connecting the new port with Bulgaria was to be placed under the supervision of an international commission.

This new arrangement was officially submitted to the Bulgarian delegation on the 26th January, and was rejected by them. They also refused to consider M. Veniselos's offer of harbour rights at Salonica.

No. 28B.

Commission on Territorial and Military Questions.

Procès-verbal *of the Meeting of Friday, January 26, 1923, held by the Sub-Commission appointed to Examine the Measures to be Adopted for the purpose of Assuring to Bulgaria an Economic Outlet to the Ægean Sea.*

THE meeting took place at 3 P.M. at the Château d'Ouchy under the chairmanship of M. Diamandy. The following were present:—

Hon. Harold Nicolson (British Empire); M. Bargeton (France); MM. Venizelos, Politis (Greece); MM. Nogara, Indelli (Italy); MM. Diamandy, Contzesco (Roumania); M. Rakitch (Serb-Croat-Slovene Kingdom); Moukhtar Bey (Turkey); MM. Théodorof, Stanciof, Mlle. Stanciof, M. Altinof (Bulgaria).

Secretary: M. Lagarde (France).

THE CHAIRMAN laid before the sub-commission the draft convention regarding Dedeagatch which figures as Annex (A). This convention, he explained, had been prepared by a commission of experts who had examined the conditions under which it would be suitable to apply the provisions of article 48 of the Treaty of Neuilly regarding the grant to Bulgaria of an economic outlet to the Ægean Sea. He asked the Bulgarian delegation to inform the sub-commission of their views on this draft convention.

M. STANCIOF said that the draft convention prepared by the experts of the inviting Powers was based on the principle that Bulgaria would receive on a long lease the territory situated on the coast of the Ægean Sea. Only the administration of this territory would be transferred to Bulgaria; the sovereignty of the territory would remain to Greece. The territory would remain subjected to Greek legislation and the draft convention makes no mention of the jurisdiction which would be exercised in the territory. On the other hand article 4 stipulates that Bulgarian administration would be under the supervision of an international commission, a condition which would constitute a further restriction to liberty of action, which articles 2 and 3 purport to accord Bulgaria.

By thus basing their proposal upon the principle of a lease, the inviting Powers appeared to have had in mind the formal rejection of the request put forward by the Bulgarian Government regarding their outlet upon the Ægean Sea.

M. Stanciof added that he did not wish to reopen the discussion which had already taken place semi-officially before the Commission of Experts. He would refrain from restating the arguments upon which the claims of Bulgaria were based, all the more so as these arguments were well known to all the Powers.

M. Stanciof concluded by saying that in present circumstances he had the impression that article 48 of the Treaty of Neuilly would appear destined to meet with the same sterile fate as article 23 of the Treaty of Berlin.

M. Théodorof expressed his warm thanks to the experts who had been instructed to examine the conditions under which Bulgaria might obtain her outlet to the Ægean Sea. The Bulgarian delegation fully recognised their loyal efforts to find a solution of this problem within the limits which had been assigned to them by the Allied Governments. If, after all, the solution now proposed appeared to the Bulgarian Government to be inapplicable, the reason was that the eventual cession of Western Thrace to Greece from the first rendered impossible Bulgaria's access to the sea.

The present epoch was one of a vast struggle conducted by all nations for the purpose of commercial competition and supremacy. Every State was therefore bound on its own territory to assure for itself all the conditions necessary to attract and to exploit the traffic of foreign and particularly of neighbouring countries.

The Commission of Experts, faced as they were by the obvious fact that it would be quite impossible for the Greeks or any other international organisation to carry out either at Dedeagatch or in its vicinity the necessary works for the creation of a port such as would foster the overseas trade of Bulgaria, without imposing port dues on a scale which would obstruct this trade and seriously compromise the economic development of the country, had conceded to Bulgaria as a great favour the construction of an international port detached from Bulgaria in a zone forming an enclave in foreign territory the railway communication with which would be in the hands of a foreign company and situated in Greek territory.

Such an arrangement had never furnished any practical results in the past and had nowhere been applied with success. The Bulgarian delegation declared once more that Bulgaria is precluded more than any other State from the possibility of being able to derive any advantage whatever from such an arrangement.

The Bulgarian delegation were instructed by their Government to say this in the most categorical manner. They asked the chairman of the sub-commission to be so good as to forward this declaration to the chairman of the First Commission as well as to the heads of the different delegations represented at the conference, together with an expression of the thanks of the Bulgarian delegation for the interest which they had been kind enough to take in the question of Bulgaria's access to the open sea.

M. Veniselos stated that the Greek delegation had on several occasions explained to the present conference their attitude towards this question, as they had already done before the conference in Paris. He desired, however, to stress the fact that the Ægean harbour which most interested Bulgaria was not Dedeagatch, but Salonica. As a matter of fact, at the time when Bulgaria was herself in possession of Dedeagatch she never thought of constructing a port at that place, but while looking upon Dedeagatch with indifference she claimed the harbour of Cavalla.

Greece fully recognised that Bulgaria ought to have a free access to the Ægean Sea. It was for this reason that the Greek Government would be very glad to give to Bulgaria all necessary facilities and guarantees in the harbour of Salonica. The Serb-Croat-Slovene State was similarly negotiating with Greece in order to obtain in the harbour of Salonica the outlet which she required upon the Ægean. This harbour was large enough to be able to meet concurrently the requirements of the Serb-Croat-Slovene State, of Bulgaria and of Greece. The Greek Government would be very willing, if Bulgaria agreed, to create at Salonica a large international port of which the western section would be ceded to the Serb-Croat-Slovene State, the eastern section to Bulgaria, while the central section would be set apart for Greece and general commerce.

M. Veniselos could not understand how Bulgaria could refuse to accept an arrangement which had fully contented the Serb-Croat-Slovene State. The proposal which he now made was all the more to the point, since Dedeagatch was not the real outlet of Eastern Bulgaria, the produce of which was drained by the ports of Varna and Bourgas. It was really only the western part of Bulgaria which was deprived of access to the sea, and the outlet for this part of Bulgaria was not Dedeagatch, but Salonica. It rested with Bulgaria herself to obtain in the harbour of Salonica the facilities which she had a right to obtain for her trade.

M. NOGARA stated that the objections which the Bulgarian delegation had raised to the scheme prepared by the inviting Powers fell under two heads. In the first place, Bulgaria objected to the fact that the territory in which she obtained the lease remained under Greek sovereignty; in the second place, she objected to the fact that the only connection of Bulgaria proper with this territory was by a foreign railway. These reasons, in the opinion of the Bulgarian delegation, were sufficient to render it impossible for Bulgaria to organise her trade by the port of Dedeagatch.

M. Nogara felt bound to observe that the scheme prepared by the experts proceeded from certain definite terms of reference which it was not within the power of these experts to modify. They would obviously have exceeded their competence if they had proposed provisions which altered the conditions of sovereignty existing in the zone in question. None the less, M. Nogara would be disposed if need be to take account of the detailed observations presented by the Bulgarian delegation regarding the conditions in which this territory is leased to Bulgaria. Further, he saw no objection to giving Bulgaria the right to buy out the present owners of the railway connecting Bulgaria with the sea.

As regards the argument that the political conditions existing in one zone would not permit Bulgaria to organise her trade communications in that zone, M. Nogara was of opinion that from the economic point of view the provisions of the present draft convention would give Bulgaria an access to the sea in a manner which, in normal conditions, would prove without the slightest doubt satisfactory; the example of Poland, whose seaborne trade passed through the harbour of Danzig, was sufficient to prove this contention. None the less, account must be taken of the fact that if

Bulgaria were seriously to undertake the reorganisation of the harbour of Dedeagatch she must have some assurance that this region will not be exposed to any political disturbance. This was all the more necessary since the commercial routes of Bulgaria flowed rather to the east—to the ports of Varna and Bourgas on the Black Sea. Although the refusal of the Bulgarian delegation was so categorical as to render it difficult to pursue the discussion, M. Nogara begged the Bulgarian delegation to re-examine the scheme which had been given to them and not to approach the question solely from the political aspect, but to examine rather whether the conditions now offered did not constitute an improvement on the conditions which actually existed.

As regards the offer of M. Veniselos to cede to Bulgaria a free zone in the harbour of Salonica, M. Nogara did not feel competent to express an opinion, since he was ignorant of the exact manner in which such a proposal would in practice be applied.

M. VENISELOS drew attention to the fact that the Greek Government had been ready to enter into direct negotiations with the Bulgarian Government. The Greek delegation had, however, been informed that it was useless to open discussions on the subject or to enter into a technial study of the question since the Bulgarian Government had categorically refused an exchange of views with the Greek delegation on the matter.

MR. NICOLSON stated that, in his opinion, it was impossible to enter into any detailed discussion of the draft convention. The experts had been instructed to ask the Bulgarian delegation whether, yes or no, they accepted or refused the scheme which had been submitted. It was not for the sub-commission to take into consideration principles other than those which were within their terms of reference.

M. BARGETON associated himself with the declarations made by Mr. Nicolson.

THE CHAIRMAN expressed his regret at having to register a categorical refusal on the part of the Bulgarian delegation of the scheme prepared by the inviting Powers. His regret was all the greater since he was one of those who imagined that, thanks to the concessions made by Greece, the grant to Bulgaria of an access to the sea was now a realisable possibility, and that he had seen in this project a future pledge of good and peaceful relations between these two neighbouring countries.

ANNEX TO No. 28B.

Draft Convention regarding Dedeagatch.

THE high contracting parties, being desirous to assure to Bulgaria the economic outlet on the Ægean Sea foreshadowed in article 48 of the Treaty of Neuilly, and realising that the port of Dedeagatch does not lend itself to the construction of a harbour answering to the needs of Bulgarian commerce . . . .

ARTICLE 1.

Greece undertakes to grant a lease to Bulgaria for a period of ninety-nine years of a strip of territory on the coast of the Ægean Sea between Dedeagatch and Makri, of the length of 3 kilom. and of the depth of 1 kilom.

The site and delimitation of this territory shall be decided by common agreement between the Greek and Bulgarian Governments, and, in the event of no agreement being arrived at between them, the decision shall be left to an arbitrator nominated by the Council of the League of Nations.

ARTICLE 2.

In all matters pertaining to administration, this territory should be considered as being Bulgarian territory. The Bulgarian Government undertakes, however, not to use the territory or the harbour which may be there constructed for military or naval purposes.

ARTICLE 3.

The territory to be ceded as provided for in article 1 shall be administered by Bulgaria and be under Bulgarian legislation. The officials and functionaries employed in the territory shall be of Bulgarian nationality and shall be appointed by the Bulgarian Government. The Bulgarian Government shall, every six months, communicate to the Greek Government a nominal roll of these officials and functionaries in which their respective functions shall be stated.

ARTICLE 4.

The maintenance of order and the administration of the territory referred to in article 3 shall be carried out by a Bulgarian authority, who shall exercise his functions under the supervision of the commission provided for in article 10.

ARTICLE 5.

The land comprised in the territory referred to in article 1 shall, if it is the property of the Greek State, be leased to Bulgaria without payment. If it is private property it shall, before the territory is handed over to Bulgaria, be expropriated by the Greek Government, and the owner shall be compensated by Bulgaria. The amount of this compensation shall be determined by an arbitrator to be chosen by the Bulgarian Government, the Greek Government and the owners themselves. In the event of no agreement being reached as to the choice of this arbitrator, he shall be nominated by the commission provided for in article 10.

ARTICLE 6.

The construction of the harbour and the subsidiary works which may be necessary therefor shall be carried out under the direction and at the expense of the Bulgarian Government, to whom the Greek Government shall transfer for this purpose all rights of concession.

Article 7.

The Greek Government agree not to undertake any works of a nature to obstruct the utilisation of the harbour to be eventually constructed in the territory referred to in article 1.

Article 8.

The Bulgarian Government shall have the right to levy in the territory referred to in article 1, either directly by their own agents or through concessionary companies and within the limits of the treaties of commerce in force between Bulgaria and other Powers, such port and other dues as may be necessary. This right shall not, however, affect the right of the international commission provided for in article 10 to levy a percentage on such dues in order to meet the expenses of the commission. The amount of this precentage shall from time to time be fixed by the commission itself.

Article 9.

The port to be eventually constructed upon the territory referred to in article 1 is declared to be a free port and a port of international concern. Bulgaria undertakes to apply to this port the recommendation regarding such ports which was adopted by the conference held at Barcelona from the 10th March to the 20th April, 1921.

Article 10.

In order to assure the free transit of goods and passengers between Bulgaria and the territory referred to in article 1 an international commission shall be constituted within a period of three months from the coming into force of the present convention, and shall be composed of representatives appointed by the Governments of the British Empire, Bulgaria, France, Greece, Italy, Roumania, the Serb-Croat-Slovene State and Turkey. Each Power shall have one delegate. The seat of the commission shall be chosen by the commission itself. The budget of the commission shall be provided as indicated in article 8. The commission shall lay down its own rules of procedure.

Article 11.

The chairmanship of the commission provided for in article 10 shall be annual and shall be exercised in rotation, according to alphabetical order by the representatives of the British Empire, France and Italy. The president for the first year shall be chosen by lot.

Decisions will be taken by a majority and the chairman shall have a casting vote in case of an equality of votes.

Article 12.

The Greek Government delegate to the commission provided for in article 10 all rights and duties which they may possess regarding the supervision of works, inspection and policing of the railway connecting the Bulgarian frontier with the territory provided for in article 1.

The policing of the trains and stations shall be carried out exclusively by the agents of the commission in agreement with the railway company.

Subject to the provisions of article 3, no distinction between the different nationalities shall be made in recruiting the personnel of the commission and of the railway.

ARTICLE 13.

The rights and duties of the Compagnie des Chemins de fer Orientaux which that company possessed on the 1st August, 1914, shall be maintained. Within a period of one year from the coming into force of the present convention, the company shall have the right to ask that their contract be adjusted to the changed economic conditions. In the event of no direct agreement being reached between the company and the Greek Government on this point, the conditions of such readjustment shall be determined by arbitration under the following conditions.

One arbitrator shall be nominated by the concessionary company and a second arbitrator shall be nominated by the Greek Government. The third arbitrator shall, in the event of no agreement being reached as to the choice of such an arbitrator between the two interested Powers, be nominated by the Council of the League of Nations.

ARTICLE 14.

Persons, goods, postal services, ships, vessels, carriages, wagons and other means of transport coming from or going to the territory referred to in article 1 and crossing Greek territory shall be deemed to be in transit across Greece if they are going to or coming from any other State whatsoever.

Greece undertakes in so far as this transit is concerned to apply the provisions of the convention and statute regarding freedom of transit signed at Barcelona on the 20th April, 1921.

ARTICLE 15.

All differences which might arise regarding the interpretation or the application of the articles of the present convention shall be settled in the manner provided by the covenant of the League of Nations.

ARTICLE 16.

Pending the construction by the Bulgarian Government in the territory referred to in article 1 of a harbour answering the requirements of commerce and the junction of this harbour with the existing railways, the Greek Government undertake to accord to the Bulgarian Government in the Harbour of Dedeagatch, all the facilities provided for in the annex to the present convention.

SUB-ANNEX.

Reproduction of Articles 4 to 16 of the Treaty regarding Thrace signed at Sèvres on August 1, 1920.

PART II.

Meetings of the Second Commission.

No. 29.

COMMISSION ON THE RÉGIME OF FOREIGNERS.

Minutes of the First Meeting, December 2, 1922, at 4 P.M., under the presidency of Marquis Garroni.

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Spalaikovitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Mr. Ryan.
Mr. Malkin.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. Waley.
Mr. McClure.

FRANCE.

M. Laroche.
M. Fromageot.
M. de Lacroix.
M. Bargeton.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
M. Guariglia.
M. Ciamarra.
M. Salem.

UNITED STATES OF AMERICA.

Mr. Dwight.
Mr. Heck.
Mr. Amory.

JAPAN.

Mr. Nagaoka.
Mr. Tani.

GREECE.

General Mazarakis.
M. Dendramis.
M. Politis.
M. Theotokas.

ROUMANIA.

M. Contzesco.
Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Christitch.
M. Antitch.

TURKEY.

Munir Bey.
Tahir Bey.
Rushen Eshref Bey.

Nasret Bey.
A. Djevad Bey.
Hussein Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

ROUMANIA.

M. Constantinesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

MARQUIS GARRONI read the following speech:—

"Before proceeding to the work entrusted to our commission, I feel that I should recall the fact that the Capitulations were originally granted to foreigners by a spontaneous act on the part of the Turkish Government, which desired to attract them to the Ottoman Empire for the purpose of developing the commerce and resources of the country by giving them guarantees and the means to live there according to their habits and customs.

"Further, the capitulatory privileges were so appropriate to the needs of the times and to the interests of both the foreigners and the concessionary State that the Capitulations were repeatedly confirmed later on by various treaties.

"It must, however, be recognised that according to present-day ideas of law the capitulatory régime is regarded as liable to diminish the sovereign powers of an independent State; and it is intelligible that Turkey should demand the abolition of this régime, which has had its day.

"We are disposed in principle to meet this legitimate desire of the Grand National Assembly of Turkey; but it must be recognised, on the other hand, that foreigners have established themselves in Turkey and built up important enterprises there in reliance on the guarantees offered to them by the treaties. They have therefore acquired certain rights which must be taken into account and safeguarded.

"As regards the future, Turkey, who now claims her independence and sovereign rights, is equally interested in attracting foreign initiative and activity; she needs foreign co-operation for the profitable development of the numerous resources of the country, which are still in great part unexploited. It will, therefore, no doubt be agreeable to the Turkish Government, which wants the capitulatory régime to disappear, to substitute for it such guarantees as regards legislation and the administration of justice as will inspire confidence in all those who will be obliged to have recourse thereto.

"Our commission was also to deal with the question of minorities; but our task is already very heavy, and this question has partly been taken in hand by the First Commission under the able presidency of his Excellency Lord Curzon, who directs its work with so much authority and understanding. It therefore seems desirable, if you have no objection, to hand over to the First Commission the completion of the work relating to this question.

"I am well aware of the difficulties which our commission will have to overcome, but I am convinced that by working with a firm will to achieve the desired object it will succeed in finding such a solution as will reconcile all the interests concerned.

"With this wish I propose to open the work of our commission by a general discussion on the questions laid before it. I shall be happy to listen to such observations as may be made in this respect, that is to say, remarks of a general character, questions of detail being referred to the three sub-commissions, whose formation I have the honour to propose, viz.:—

> "*First Sub-Commission:* The legal position of foreign persons in Turkey, physical, juridical and moral, as regards the right to establish themselves in the country, and as regards the judiciary régime.
>
> "*Second Sub-Commission:* The legal position of foreigners from the economic point of view.

"*Third Sub-Commission:* Questions of nationality and of archæological research."

Ismet Pasha understood from Marquis Garroni's statement that the latter recognised the incompatibility of the Capitulations with a nation's independence and with its concern for its existence and sovereign rights. He took note that this principle was established. Both in juridical matters and in the region of fact Turkey had for many years past repeatedly shown that it was possible in practice to dispense with the Capitulations. The sub-commissions would therefore only have to settle Turkey's future relations with the interested States in conformity with the principles governing relations between States where no capitulatory régime existed.

He wished to make it clear that his Government could not possibly agree to negotiations with a view to the Capitulations being suppressed in form and in name, but maintained in substance. Such a régime would be a fresh source of complications and would make relations even more difficult than in the past. This was the basis on which the Turkish delegates would participate in the work of the sub-commissions. The position of foreigners in Turkey was guaranteed by general legislation similar to that existing in all civilised nations which were independent and masters of their own fate. He warned the conference that the Turkish delegates could only work in the sub-commissions in this spirit.

M. Barrère wished to confine himself to a statement of principle. The fact that people spoke of suppressing the Capitulations implied that they still existed. The task of the conference was to devise a system more suited to modern requirements in place of the capitulatory system, which was in consonance with archaic ideas. It would, however, be necessary that the new régime should contain provisions which gave foreigners adequate satisfaction and guarantees from the juridical point of view. Having made this statement of principle, he reserved the right to define in the course of subsequent discussion the point of view which the French delegation would have to defend.

Lord Curzon said that he would like to add a few words to the observations that had fallen from the president and M. Barrère, and desired to associate himself with the very conciliatory and courteous language which they had adopted.

The president had indicated to the meeting that what the conference had to do was to discover some substitute for the Capitulations. The Capitulations depended upon treaty rights and arrangements made by mutual consent, which extended over a period of centuries; and the fact that the Capitulations could not be destroyed by either of the contracting parties without the consent of the other, and without the substitution of some new system in their place, had been laid down on more than one occasion. For instance, there was a treaty in 1871 between the Powers and Turkey in which he found the words "they recognise that it is an essential principle of international law that no Power can absolve itself from the obligations of a treaty nor modify its stipulations except in pursuance of the assent of the contracting parties in virtue of an amicable agreement." In 1878, when the Treaty of Berlin was signed, particular mention was made in it that the rights of consular jurisdiction "shall remain in force so long as they shall not have been modified with the consent of the parties concerned." In October 1914, after the beginning of the Great War, the Turkish Government took advantage of the occasion to proclaim the abrogation of the Capitulations. All the Powers, including even Germany and Austria, the allies of Turkey, who had treaty rights, immediately protested against this act on the ground that no treaty could be abrogated solely by the decision of one of the parties. He agreed with Ismet Pasha's view that it was desirable to avoid using the word "Capitulations," which had an invidious sound; but, as the president had observed, certain guarantees were required which would be as much in the interest of the Turks themselves as of foreigners. He was glad to know that while making all legitimate reservations on behalf of the Turkish Government, Ismet Pasha had recognised the necessity of providing such a system, and had indicated the willingness of the Turkish delegation to serve on the sub-commissions which it was proposed to appoint. He hoped both parties would realise that this was one of the most important questions which the conference had to discuss. It was a question which the Turkish delegation, holding the views they did as to the sovereignty and independence of their State, regarded as of capital importance. So did the inviting Powers. He hoped all delegates would go into the discussion in the sub-commissions with the firm intention of providing some settlement which would be equally fair to all parties. If that spirit prevailed, there was good hope of carrying matters to a successful solution.

Ismet Pasha noted with satisfaction that there was complete agreement as regards the Capitulations being incompatible with the sovereign rights of an independent country. If a régime which was recognised as inapplicable were replaced by another régime of a fundamentally similar character, the latter would be condemned to suffer the same fate as its predecessor.

The Government of the Grand National Assembly of Turkey was convinced of the necessity of firmly maintaining the theory that Turkey had the same rights as every nation that was sovereign, independent and master of its destinies.

He reserved the right to give in the course of the discussion detailed explanations regarding the unilateral and revokable character of the Capitulations. He thought that the questions to be referred to the sub-commissions should be the conclusion of commercial treaties, treaties concerning the establishment of foreigners in Turkey, extradition treaties and consular conventions, on a basis of reciprocity and in conformity with the general rules of international law. The Turkish delegation would maintain this principle in the sub-commissions.

Baron Hayashi was glad to see that France, Italy and Great Britain were approaching this matter in a spirit of sympathy for Turkey. He wished to say that Japan was perhaps one of the foremost among the Powers to sympathise with the desire of Turkey, because Japan had herself had a capitulatory régime like Turkey for a number of years. He would, however, like to point out for the kind consideration of Ismet Pasha that Japan had taken twenty years or more in order to prepare for herself a complete juridical system. It was only after hard work by Japan, lasting more than twenty years, that the Powers were able to agree to the Capitulations being brought to an end. In these circumstances he sympathised with the Powers and would like Ismet Pasha to sympathise with them too. It would take some considerable time and work to devise a new system which would be satisfactory both to the Powers and to Turkey; and it was the intention of Japan to contribute her full share to that work, with a view to complete Turkish independence being realised as soon as possible.

M. Bompard called attention to an omission in Ismet Pasha's speech; this concerned the exercise of jurisdiction—a point of capital importance with a view to giving foreigners resident in Turkey the necessary guarantees. He noted with pleasure that attention had been called to that omission by Baron Hayashi.

Mr. Child said that the United States, if it were stating a legal case or claim of rights, would be obliged to take the same point of view as the Allied Powers. He felt obliged to state that the present case was a fortunate one in which both parties had a common interest, and that therefore it would be the opinion of his Government that the sooner the seeking for that common interest were found the better for the present conference.

Ismet Pasha wished to reply to all the arguments advanced by Lord Curzon, Baron Hayashi, M. Bompard and Mr. Child by reading the following statement (see Annex).

Marquis Garroni associated himself with Lord Curzon and M. Barrère in pointing out that since the Capitulations were based on treaties, the questions which had hitherto been governed by the Capitulations must naturally be settled by a new international act. The three sub-commissions which were about to be set up would take into account the remarks made by Ismet Pasha. He felt sure that with the goodwill of all the delegations a system could be devised which would satisfy the interests of all and give birth to relations of true friendship between the interested States, to their great mutual advantage.

(The commission rose at 5 P.M.*)*

ANNEX.

Memorandum read by the Turkish Delegate at the Meeting of December 2, 1922, of the Commission on the Régime of Foreigners.

THE origin of the Capitulations, which set up a régime plainly contrary to the rules of modern international public law, and which restrict the sovereignty exercised by a State, within the limits of its territory, over persons and property, is of an importance which must be generally recognised. The system which was in force almost everywhere in the middle ages was that of "personal" law, a system which was not then considered to be incompatible with the prerogatives of the sovereignty of the State. Thus, foreign communities were granted privileges in virtue of which consuls undertook the duties of the public authorities in regard to the maintenance of order, and applied their national laws in matters which concerned their nationals alone.

This same idea further exercised a certain influence on the relations between foreigners and natives, and there was considered to be no objection to the laws of the country being applied to foreigners only in a restricted way. It was for this reason that the crusaders, when they passed Constantinople, were able to obtain the grant of certain privileges from the Byzantine Emperors. The Venetians and the Genoese who lived in Galata received similar privileges also. In the same way, long before the occupation of Constantinople by the Turks, the Moslem colony in that city was subjected to the jurisdiction of a cadi, who exercised jurisdiction in accordance with the Sheri law. When Mohammed II seized Constantinople, he maintained, although he was in no way obliged to do so, the privileges enjoyed by the Venetians and the Genoese.

If, at a period when the Ottoman Empire had reached the zenith of its glory and its power, Soleyman I granted privileges to the Frankish community, be did so merely because at that time the sovereignty of the State did not possess an absolute and exclusive character as it does to-day. No one could justly maintain to-day that, in granting these privileges, the Sultan contemplated any restriction or diminution of the sovereignty of his Empire. All these privileges, as has been stated above, arose out of the system of "personal" law, which at that time was generally in force.

Further, foreigners who came to Turkey to establish themselves there, or to engage in trade, were subject to restrictions imposed not only by their own respective Governments but also by the Ottoman authorities.

They were, generally speaking, carefully chosen and responsible persons, who deposited a bond with their Governments in order to be allowed to come to Turkey. Moreover, their stay in that country was of limited duration.

Later, as international commercial relations gradually developed, the number of foreigners coming to Turkey increased. On the other hand, the Western States gradually abolished the regulations which required their subjects either to obtain permission for a journey to the east or to deposit the necessary bond.

On lines parallel with this development of international relations there arose not only in theory but also in practice the idea of substituting for the conception of "personal" law that of "territorial" law, and, at the same time, the juridical character of the State becoming better understood, the right to legislate and to administer justice became one of the exclusive attributes of sovereignty. It is for this reason that the modern State considers it a perfectly natural consequence of its power that foreigners living on its territory should not be exempted from the application of the laws in force therein. Above all, it will not tolerate that foreigners should have, in any respect whatever, rights and privileges which would place them above its own nationals, since it would consider such a state of affairs to be an infringement of its sovereignty and a danger to its security. Finally, by the treaties and conventions which it concludes with perfect independence, it regulates the conditions under which foreigners may remain upon its territory, and determines the laws and regulations to which they must conform while they are there.

The anomalous character of the capitulatory régime in relation to public international law and to modern conceptions of sovereignty was recognised by the Powers who took part in the Congress of Paris in 1856.

Indeed, the Earl of Clarendon, at the meeting of the 28th March of this Congress, declared himself in favour of "the necessity which lay upon the contracting Powers, who had called Turkey to become part of the political system of Europe, to give striking evidence of the sentiments which united them and of their solicitude for the general interests of their respective subjects by endeavouring to come to an agreement for the purpose of harmonising the relations of their commerce and navigation with the new position which would be assigned to the Ottoman Empire."

Count Walewski supported this opinion, and recommended its adoption on the ground of the new principles to which the deliberations of the Congress would give rise.

Again, Count Cavour drew attention to the fact "that no Power possesses a commercial legislation more liberal than that of Turkey, and the anarchy which prevails in the transactions or rather in the personal relations of foreigners residing in the Ottoman Empire has its origin in stipulations due to an exceptional situation." Following on Ali Pasha's statements regarding "the suppression of the Capitulations," the other plenipotentiaries, including Baron de Bourguency, openly recognised that the Capitulations corresponded to a situation which the Treaty of Peace would inevitably tend to bring to an end, and that the privileges which they provided for in the case of individuals limited the authority of the Sublime Porte in a regrettable way. After this exchange of views the plenipotentiaries unanimously agreed that it was necessary to revise the stipulations which determined the commercial relations of the Porte with other Powers, as well as the conditions under which foreigners resided in Turkey, and decided to record in the protocol the hope that a discussion should be opened at Constantinople, after the conclusion of peace between the Porte and the representatives of the other contracting Powers, with a view to attain this two-fold object in a manner fitted to give entire satisfaction to all legitimate interests.

This shows that as long as sixty-six years ago the representatives of England, France and Italy recognised, in so solemn a Congress as the one described, the necessity of terminating the Capitulations because of their incompatibility with modern conceptions of law, and because of the manner in which they infringed the sovereignty of the State.

During the period subsequent to the conclusion of the Treaty of Paris, Turkey has worked feverishly at the perfection of her judicial system, which she had already taken in hand.

The commercial code, the penal code, the codes of civil and penal procedure, as well as the laws regarding the "Tribunaux de Paix," and also all the administrative laws and regulations, have been elaborated on the model of codes and laws in force in European countries.

Above all, it has quite recently been possible to carry out a very important reform in the civil law, by which our judicial institutions have been completely secularised; the free will of the parties in the matter of contracts and agreements has been recognised as paramount, and the principle of the freedom of the will has been accorded the same place as in Europe; further, while these laws were being elaborated and promulgated, a faculty of law was instituted at Constantinople, whose programme is more or less identical with that of the corresponding faculties in Europe. This situation has produced during forty years a body of distinguished judges and advocates, who possess all the necessary qualifications, and it is to them that at the present time the important task of administering justice is assigned.

A considerable number of young men have since the change of régime in 1908 studied in the various faculties of law of the Empire, and are now appointed to various posts in the magistracy.

Once our judicial organisation and reform had been carried out on the basis of European institutions, the necessity for the suppression of the Capitulations was again accepted on various dates and on various occasions by the Governments which had already recognised the same necessity at the Congress of Paris. These Governments would thus admit that our judicial organisation had become considerably modernised and could guarantee the rights of the foreigners living in our country. They agreed therefore that they entertained no serious objection to the abolition of the capitulatory régime.

Indeed, in a clause in the protocol which Turkey and Austria-Hungary signed in 1909 after the annexation of Bosnia-Herzegovina, this latter Power agreed to the abolition of the capitulatory régime. The Treaty of Lausanne, concluded three years later, also contained an article by which Italy entered into the same engagement; Italy recognised the justice of the point of view of the Sublime Porte and affirmed her intention to afford the Sublime Porte her full and sincere support.

Since that date Austria, Germany and, recently, Russia have explicitly agreed to the abolition of the Capitulations by the Turkish Government and categorically recognised the legitimate right of Turkey to do so. As the deficiencies in our judicial organisation have now been remedied, and as on the other hand the Capitulations are provisions absolutely incompatible with the sovereignty of a State, their abrogation ought not to become the subject of any dispute.

The continuation of the capitulatory régime, far from assuring any advantage to foreign nationals, gives rise to innumerable difficulties in business and prejudices the interests of Turks and foreigners alike. This point is of the very greatest importance and deserves to be studied with most careful attention. The working of the judicial provisions of the Capitulations should be examined as much in relation to civil and commercial matters as in relation to criminal matters and the execution of judgments.

In the first place, in the case of a civil or commercial action between two foreigners of different nationality, the action must be tried by the consular court of the defendant according to the laws and in conformity with the procedure in force in his country. Hence every foreigner residing or carrying on business in Turkey was obliged to be familiar with the national laws of other foreigners with whom he maintained commercial relations, and to take them into consideration when drawing up documents or concluding contracts. Similarly, in the same country there were in existence as many laws, as many judges and as many courts as there were Powers. In the case of an appeal, application had to be made to the court of appeal of the country of which these foreigners were nationals; and naturally, even if one succeeded in surmounting these difficulties and appeared, together with the other party to the suit, before the mixed tribunal, numerous obstacles did not fail to arise anew in the course of the proceedings. The foreign members of these mixed tribunals were for the most part men who were not fully initiated in the knowledge of law; most of them believed that instead of administering the law and doing justice, their duty consisted in pronouncing as a general rule in favour of the foreigner. Furthermore, these members, having very often other occupations, did not attend the tribunal regularly, the result being that the cases were subjected to interminable delays. Foreigners suffered as much as the Turks. The absence of judges and dragomans is more frequent in cases where the foreigner is defendant. The records of the First Commercial Court of Constantinople often make mention of cases which lasted from twenty to thirty years. For example, questions of minor importance, such as a notification, often pass out of the domain of the courts into that of diplomacy and give rise to endless controversy between the Government and the Embassies. When it was foreseen that the proceedings would go against the foreigner, or when a judgment unfavourable to the foreigner had been pronounced, the absence of the foreigner or the unjustifiable refusal of the dragoman to sign the judgment prevented the settlement of the dispute. The same difficulties arose, of course, when the foreigner was plaintiff.

The attitude of the foreign members (who supported the foreigner with great partiality as though they were his advocates), and especially that of the dragomans, caused regrettable misunderstandings which caused the matter to be transferred from the judicial domain to that of diplomacy. This state of affairs caused the suits to drag on for a very long time and made it impossible for the Commercial Court to bring them to an end. Once the judgment had been pronounced, difficulties of every kind likewise attached to its execution. Indeed, it was no rare thing to see judgments given against foreigners remain unexecuted.

It is easy to see that this deplorable situation prejudiced the rights of foreigners no less than those of the Turks.

On the one hand the Turks, foreseeing the fatal consequences of any disputes which might arise, acted most warily and cautiously towards the foreigners with whom they desired to enter into relations, and even endeavoured to avoid them as much as possible. On the other hand the foreigners, coming up against more or less the same difficulties, did not develop their commercial relations in Turkey to the extent that they could have wished, and even, however desirous they might be of invoking the competence of courts dealing only with cases between Turks, met the formal prohibition of the diplomatic representatives of their countries. In this connection it is interesting to note that matters with which the mixed tribunals dealt were not numerous.

Companies started with the assistance of foreign capital to exploit great undertakings in Turkey, like the Ottoman Bank, the Société des Tramways, the Société des Chemins de Fer, &c., are, as being Ottoman companies, subjected to the jurisdiction of the Turkish courts.

All matters relating to leases or real property, no matter what might be the nationality of the parties, were within the competence of the Turkish courts by virtue of the protocol annexed to the law of the 7th Séfer.

On the other hand, cases between Serbian and Montenegrin nationals who did not enjoy the benefits of the Capitulations have always been tried directly by the courts of the country. The same was the case with the disputes which arose after the world war between Turks and subjects of capitulatory Powers. On this head no complaint has been formulated by the parties.

As regards the provisions of the Capitulations on the penal side, although the inviolability of the individual and his abode and the right of defence before the courts are already assured by the Turkish laws, the powers of the judicial authorities whose duty it was to carry these laws into effect were limited by the restrictions imposed by the Capitulations. Moreover, the consular authorities made the widest use of these restrictions in order to withhold deliberately from justice offenders who had infringed the public order and security of the country.

Whenever a murderer or the perpetrator of a crime succeeded in reaching the abode of a foreigner, the Turkish police found themselves prevented from entering there and were obliged to suspend the pursuit until the dragoman arrived, and in the meantime the criminal found a means of escaping.

The obligation of hearing a witness of foreign nationality in a penal case in the presence of the dragoman led very often to disagreeable results; the witness and the dragoman, or the latter alone, were able by answering the summons or by refusing to appear, to exercise an influence on the progress of the prosecution.

Similar difficulties arose in connection with the execution of sentences in criminal cases, and the sovereignty of the State and the prestige of the judicial authority were as gravely prejudied.

The best qualified foreign authors have been unable to refrain from recording the deplorable effects of the application of the Capitulations, and have admitted that the circumstances which gave rise to that régime have long since ceased to exist.

I am anxious to put on record the words used by the late Professor L. Renault in this connection :—

"The sovereignty of the Porte is to-day curtailed from many points of view; but it must not be forgotten that the state of affairs described above dates from a bygone age when the Sublime Porte was all-powerful. Soliman the Magnificent, whose alliance was sought in 1535 by Francis I, would not have granted a concession which would have been regarded as humiliating. It must be borne in mind first of all that formerly territorial sovereignty had a less exclusive character than it has to-day, and was not incompatible with the exercise of jurisdiction by foreign authorities. Thus the curious fact has been observed that sixty years before Constantinople passed under the dominion of the Turks a Moslem community was residing there under the administration of the Cadi, who dispensed justice according to Moslem laws. It is therefore not surprising that Mahomet II after the conquest should have granted to Genoese and Venetian merchants the continuation of the privileges enjoyed by them under the Christian emperors.

"Finally, it is especially important to observe that until the beginning of this century the conditions in which the Capitulations were applied were quite different from those in existence to-day. Not every person desirous of settling in the Levant could go there; in France particularly precautions were taken; the permission of the Government was required; a bond was demanded. The European colonies were thus selected with scrupulous care and were not numerous; moreover they were materially separate from the native population with whom they maintained such relations as were strictly necessary for commerce. The object of the consular authorities was to maintain order in these little colonies and not to checkmate the local authority. Abuses were rare. The situation has changed completely. Every country has suppressed the former restrictions and has allowed its nationals to settle freely in Turkey. The number of foreigners there has therefore vastly increased. The foreigners are not always respectable; they are mixed up with the population. It is easy to understand that the application of old rules has necessarily led to abuses and scandals, and that serious obstacles have been put in the way of the police and the administration of the country, and that a state of affairs which might be quite natural in centuries past has become both humiliating and prejudicial to the territorial Power."*

Furthermore, in a publication on the subject of the Capitulations, M. André Mandestam, who for long performed the duties of first dragoman at the Russian Embassy at Constantinople, and who naturally could not fail to share the views of the Embassies in this connection, writes as follows:—

"We are bound to admit that the general lines of the judicial system applied in civil and penal cases between foreigners and Ottomans in Turkey are very confused, and present very few guiding principles. The juridical controversies between the Sublime Porte and the foreign missions rarely pass out of the domain of diplomacy; their political importance is very slight, and its investigation does not come within the limits of this work. These daily disputes have developed into a sort of customary law.

"But if the great political interests do not seem to require an immediate solution of the conflicts of jurisdiction explained in this work, the interests of the parties, whether foreigners or Ottomans, urgently demand it. Whoever has followed our work can easily understand the juridical uncertainty and the inextricable difficulties with which private interests entangled in the working of such a system have to contend. In a criminal case, a disagreement between the consulate and the court regarding the place of preventive detention or the execution of the sentence may lead to a long imprisonment without trial until the dispute is settled, or to a judgment given in the absence of the consul, or sometimes even to the accused going unpunished if he is sent back to his own country. A disagreement between the dragoman and the majority of the court as to the sentence to be imposed may have the same results, which vary, in fact, according to whether it is the consulate or the court which has the accused in its power. In a civil case, the same uncertainty arises every time a dispute occurs between the opinions of the judges and that of the official watching it. On the other hand foreign interests are insufficiently safeguarded in the composition of the mixed tribunal, where the Ottomans are always in the majority. Doubtless the dragoman may refrain from signing the sentence rejecting the suit of a foreigner against an Ottoman, but the foreigner will be deprived of his right. On the other hand the dragoman's veto is a very real force when it is applied to a decision given in favour of an Ottoman against a foreigner, for such a sentence will not be executed by the consular authority. The rights of the parties accordingly depend too often on the varying result of the disputes between the judges and the dragoman."

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* Louis Renault, "Grande Encyclopédie"; article, "Capitulations."

Foreign authors recognise, and facts, moreover, confirm that the Capitulations are as prejudicial to Turkish nationals as to foreigners themselves. They allow the latter to escape from the authority of their natural judge, and are, moreover, humiliating and prejudicial to the territorial Power. Accordingly, the Ottoman Government, being no longer able to tolerate them, abolished the Capitulations of this nature by a decision taken on the 9th–23rd August, 1914.

It is an undoubted fact that in taking such a decision Turkey merely exercised a legitimate right. As a matter of fact, the Capitulations are essentially unilateral acts. In order that an act may be regarded as reciprocal, it must above all contain reciprocal engagements. From an examination of the texts, the evidence shows that in granting the privileges in question to foreigners in Turkey, the Ottoman emperors had no thought of obtaining similar privileges in favour of their subjects travelling or trading in Europe. It is for this reason that Féraud Giraud says :—

> " These acts are not so much international treaties as grants of privileges."

Professor Louis Renault also observes that " they are voluntary and spontaneous concessions, always revocable and liable to lapse on the death of the sovereign who had granted them." They lack, he says, that which above everything constitutes a treaty, that which is the distinctive and eventual character of any convention, namely, the reciprocal character to which the reciprocity of the engagements and the double signature bear witness.

Even supposing that the Capitulations were bilateral conventions, it would be unjust to infer from that that they are unchangeable and must remain everlastingly irrevocable.

Treaties whose duration is not fixed imply the clause *rebus sic stantibus*, in virtue of which a change in the circumstances which have given rise to the conclusion of a treaty may bring about its cancellation by one of the contracting parties, if it is not possible to cancel it by mutual agreement.

" Cases must necessarily be admitted in which the State must be able to declare itself freed from any engagement, even when it has not expressly reserved this right by a clause of the treaty. Respect for engagements contracted should not, for example, be pushed to a suicidal extent. Though a State may be required to execute burdensome engagements contracted by it, it cannot be asked to sacrifice its development and its existence to the execution of a treaty."*

Similarly, Professor Despagnet, the celebrated French jurist, expresses himself as follows :—

> " The cases in which the denunciation of treaties is legitimate may be classed in three categories :—

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* Pradier-Fodéré, vol. II, p. 264, year 1911.

> "(*a.*) When the observance of the treaty has become dangerous for the political or economic existence of a country.
>
> "(*b.*) When the circumstances which have given rise to the treaty have changed and deprived the old agreement of its reason for existence.
>
> "(*c.*) Finally, a treaty may be denounced when it has become incompatible with the common international law of civilised States to which the contracting countries subscribe; a modern example would be an old treaty, not formally abrogated, sanctioning the slave trade, which is condemned by modern international law."

In view of the reasons set forth above, the abrogation of the capitulatory system is a necessity more than justified. In fact, the continued application of these extremely detrimental rules was a grave injury to the political existence of the State.

Moreover, the circumstances and the conditions which had brought this régime into being have completely changed. It is unanimously asserted that the Capitulations are absolutely incompatible with the principles of modern public law.

On the other hand, as explained above, the Capitulations have their origin in the principle of "personal law," whereas according to modern legal conceptions each State, in order to be considered as an independent State, must enjoy, within the limits of its frontiers, a complete and full independence. Its laws and institutions must have a completely territorial character. Therefore the Capitulations in our day form, as Pélissier du Rosas rightly observes, an anomaly and an anachronism.

To sum up, the prejudice and the restriction to the State's right to make laws, on the pretext that the majority of the laws of the country cannot be applied to foreigners;

The impossibility of prosecuting foreigners who have offended against public order and security;

The violation of the principles of public law resulting from the necessity of observing certain conditions and restrictions in relation to the prosecution and arrest of foreign criminals;

The obligation to bring similar suits before different courts and in conformity with different laws and procedure, according to the nationality of the parties;

And the prevention of individuals having recourse to their natural judge, &c.,

Are the regrettable results of the application of the capitulatory régime.

In view of the foregoing, the Government of the Grand National Assembly of Turkey can in no wise agree to the re-establishment of the Capitulations, which are in direct conflict with the modern conception of a State and with the principles of public law. Further, it is well-known that no such régime exists in any of the other European countries, not even in Greece and the other Balkan States.

Nor can the Turkish Government adhere to a régime which would, in reality, have a capitulatory nature. The Government of the Grand National Assembly is ready to conclude with the Governments concerned treaties of commerce, settlement and extradition, and consular conventions, on the basis of reciprocity and the principles of general international law.

No. 30.

COMMISSION ON THE RÉGIME OF FOREIGNERS.

Minutes of the Second Meeting, December 28, 1922, at 11 A.M., under the presidency of Marquis Garroni.

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Mr. Malkin.
Mr. Ryan.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

M. Laroche.
M. Fromageot.
M. de Lacroix.
M. Laporte.
M. de Percin.
M. Barois.

Italy.

M. Arlotta.
M. Guariglia.
M. Ciamarra.
M. Galli.
M. Salem.

United States of America.

Mr. Amory.
Mr. Dwight.

Japan.

Mr. Nagaoka.
Mr. Sato.
Mr. Tani.

Greece.

M. Dendramis.
M. Politis.

Roumania.

M. Contzesco.
Colonel Dumitresco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Tahir Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.
Mr. Wicks.

France.

M. Lagarde.

Italy.

M. Indelli.
M. Zanchi.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Turkey.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

Marquis Garroni reminded the delegates that the Second Commission had apportioned its work between three sub-commissions. The sub-commission dealing with the judicial régime of foreigners in Turkey, under the presidency of Sir Horace Rumbold, had found it impossible to continue its work in consequence of differences of view between the Allies and Turkey.

M. Massigli read the report of the sub-commission (see Annex).

Marquis Garroni spoke as follows:—

"At the first meeting which we held to deal with the question of Capitulations in a general way, my Allied colleagues and I showed that all of us were disposed to assist Turkey in her desire to put an end to the present régime of foreigners, and to bring about the complete disappearance of all the drawbacks which that régime involves as regards the taxation of foreigners and the administration of justice. It was, however, understood that the new measures to be adopted would be so framed as to ensure that foreigners who have important interests and existing rights in Turkey, and also those who may in future settle in that country, should enjoy freedom in the conduct of their business and receive the necessary guarantees as regards the administration of justice.

"In order to form an idea of the concessions which the Allies were prepared to make in this respect, one must remember that under the capitulatory régime foreigners were not liable to any taxation in Turkey except land taxes. Turkey could not impose any taxes or dues on foreigners without previously securing the consent of each foreign Power. We are prepared to agree that foreign subjects should be liable to the same dues and taxes as Turkish subjects, and also to recognise that the Turkish Government is entirely free to legislate on these questions.

"In former days foreigners and foreign companies could settle in Turkey and carry on all forms of commerce and industry there without submitting to any Ottoman laws except those to which the foreign Powers had previously signified their assent. We would be willing to agree that henceforth foreigners and foreign companies in Turkey should be directly subject to the laws of the country in the same way as Turkish subjects. When differences arose between foreigners in matters of commercial, civil or even penal law, the parties were immune from Ottoman jurisdiction, and such cases could only be tried before consular courts. We would be prepared to suppress this right to special jurisdiction and to give the Ottoman courts full authority to try foreigners; this would eliminate all those drawbacks inherent in the capitulatory régime which have been indicated in the memorandum of his Excellency Ismet Pasha.

"As regards questions of personal status, the Turkish Government has itself recognised that these must be regulated by the national law and national authorities of the interested party.

"We disagree, however, on one very important point, namely, the composition of the courts which are to try civil or penal suits affecting foreigners.

"It has been suggested to the Turkish delegation that a majority of foreign judges, recommended to the Turkish Government by the Permanent International Tribunal of The Hague, should be admitted into those courts. These judges would be appointed by the Turkish Government without any interference on the part of foreign Powers, and so the sovereign rights of Turkey would be fully respected. Besides this, consular representatives would no longer be entitled to intervene as regards procedure, sentences and execution of sentences, and the Turkish courts, composed as stated above, would be able to decide all cases affecting foreigners with complete independence.

"I am convinced that Turkey will succeed within a short time in creating a system of laws and a bench of judges which will fulfil all modern requirements; but it must be recognised that even under the new régime Turkish justice has not yet been able to give proof of its worth, and also that Turkey is still subject to-day to laws some of which are based on religious laws, while others are admitted by

Turkey herself to be capable of reform, since they do not harmonise with the requirements of modern international relations.

"One must also remember that foreigners established in Turkey cannot be deprived all of a sudden of the guarantees, on the strength of which they have brought considerable capital into the country and thus contributed to the development of Turkey's resources.

"Confidence is a thing which cannot be imposed, but must be inspired. His Excellency Ismet Pasha must know that the foreign colonies are filled with apprehension at the idea that the Capitulations are to be suppressed, and it is to the interest of all that this apprehension should be dispelled.

"Therefore, while we agree to the abolition of the Capitulations, we desire that the future régime of foreigners in Turkey may be such as to inspire them with the necessary degree of confidence, especially at a time like the present, which follows a period of war and hostility.

"One may admit that the conclusion of peace should render it possible to return to the original position of pre-war relations; but it must be recognised that in the present case Turkey is not asking for a mere return to the former régime, but is proposing to establish entirely new conditions.

"We willingly agree to this change of régime, but we must devise guarantees. The guarantees suggested by the Allies possess no political character, and are of an essentially juridical nature; they respect the right of territorial sovereignty, and Turkey cannot reasonably refuse them.

"I have only dealt with the most important point on which we differ. There are other points still under discussion, but I hope that agreement will be attainable in regard to them if we succeed in solving the question which I have just mentioned.

"Changes so sweeping as those now taking place in Turkey in regard to the régime of foreigners cannot be brought into force by a mere stroke of the pen. Transitory measures are indispensable; they are adopted in all civilised States, even when it is simply a matter of some change in internal legislation, and are therefore still more necessary in the case of essential reforms in which other countries are interested.

"We therefore suggest and demand a transitory period of this kind.

"We have heard from the delegate of Japan, a country which is making brilliant advance on the path of progress, that twenty years were required by his country to pass from the capitulatory régime to the régime of freedom.

"I venture to hope that this flattering example may serve the purpose of convincing the rulers of Turkey that our proposals are made in a spirit of equity and wisdom.

"I beg the Turkish delegation kindly to give due heed to the conciliatory dispositions of the Allies and to the important concessions which we would be prepared to make; I beg them to facilitate our task by modifying their present attitude, which has arrested the progress of the sub-commission's labours."

Sir H. Rumbold made the following speech:—

"I regret to have had to report a failure on the part of the First Sub-Commission to discharge the task assigned to it by the commission. I trust I shall be able to show that this has not been due to any lack of goodwill on the part of the Allied delegates, who approached their task in a spirit of the utmost conciliation and with a genuine desire to reconcile the interests of their nationals with the fullest respect for the sovereign rights of Turkey and the legitimate susceptibilities of her Government and people.

"The Allied delegates felt that their responsibility was increased by the fact that any new system resulting from the labours of the sub-commission would probably serve as a model for future arrangements between Turkey and other Powers which have hitherto enjoyed capitulatory privileges in Turkey. They realised that the capitulatory system for which it is now sought to provide a substitute was in the past the common possession of all foreigners in Turkey with the exception of the subjects of certain Balkan States constituted in recent times. They had reason to believe, and the belief was confirmed by the declarations made by the representatives of Belgium and neutral Powers having important interests in Turkey that the majority, if not all the States interested in this matter, were in general agreement with them on the two principles which the Allies took as their starting point, namely:—

"1. That the old capitulatory system had so many defects as to make the substitution of a more modern and less cumbrous system desirable in the interests of all parties; and

"2. That any new system must, while taking full account of Turkey's desire for independence, provide adequate safeguards for the persons, property, and interests of Allied subjects.

"I would note in passing that we have present at the conference, whether as Allied delegates, observers, or special missions, representatives of practically every Allied, Associated, or neutral Power whose nationals were established in Turkey in the form of colonies before the war. There are doubtless in the world many States which had not in the past capitulatory treaties with Turkey, but none of these States, with the exception of the recently established Balkan States mentioned above, has ever had a settled colony in Turkey. It is therefore vain to quote the fact that such States did not feel the need of capitulatory privileges in the past. They did not feel such a need because they had no colonies and few, if any, commercial interests in Turkey.

"I have described in my report to the commission the manner in which the sub-commission divided up the subject matter of its deliberations. The proposals submitted to the Turkish delegation regarding *droit d'établissement* for individuals and moral persons were based on ordinary European models, notably on the Franco-Swiss Treaty. These proposals embodied every concession to the Turkish point of view which one civilised State would be expected to offer to another. They claimed nothing but what one civilised country might legitimately ask of another. They were made in a spirit of frankness and loyalty. The only reservation attached to them was that the Allied delegations reserved the right to consider in detail with the Turkish delegation the nature of the legislation to which Allied companies and Allied institutions like schools, &c., would be expected to submit. How were these proposals received by the Turkish delegation? They admitted the general principles, but they sought by use of far-reaching formulæ to reserve to the Turkish Government the right of going back on these principles. They sought to deprive the Allied subjects of the right of holding rural real property, a right which foreigners enjoyed under treaty for half a century before the war, and it was only under pressure that they ultimately conceded as a favour what had so long been an acknowledged right. They sought, to give only one other specific example, to reserve the right to limit the exercise of any avocations which the Turkish Government might like to reserve to their own nationals. They indeed stated verbally that this right would not be abused, but the formula which they suggested for inclusion in a treaty would enable them not only to deprive foreign colonies and institutions of the services of their own doctors and other professional men, but to maintain and extend monopolies of services essential to commercial enterprise like lighterage and porterage.

"In the matter of personal status, the Turkish delegation admitted that this must be determined by the national law of the Allied subject concerned, but they at first contended that this law must be administered by the civil courts of Turkey. It was only under pressure that they agreed that matters of personal status might be dealt with by the national courts of the party, and this concession, when made, was accompanied by the restriction that those courts must operate outside Turkish territory. The Allied representatives felt that they had gone very far to meet Turkey's wishes in expressing readiness to do away with their consular courts for all other purposes. They were all the more disappointed to find that the Turkish delegates wished to deprive them of the use of consular courts for matters of personal status, nor was it flattering to their sense of honesty to be told that this attitude was based on fear lest the consular courts should usurp jurisdiction in other matters.

"It was not, however, on these questions, regarding which an agreement might still have been reached, that the sub-commission broke down. It was on the question of the judicial régime for foreigners in matters other than personal status. This question had received the most anxious consideration of the Allied delegations. They were willing to abandon the old system of mixed commercial courts, of control by dragomans, and of consular courts, of all of which the Turkish delegation has so bitterly complained. They were not only willing but anxious to devise a substitute compatible with Turkey's sovereign rights. They felt that it was not too much to ask that whatever was substituted for the old system should provide those safeguards for foreigners which European and not merely Allied opinion unanimously considers necessary, having regard to the present state of Turkish legislation and the present level of the Turkish judiciary. They sought inspiration in the past, but they were compelled to devise a system novel in its main features, for the very reason that it must be a system entirely respectful of Turkish independence. They were prepared to consider any Turkish counter-proposal in a large and conciliatory spirit. They foreshadowed their own proposals in a *questionnaire*, which they handed to the Turkish delegation on the 13th December. To this the Turkish delegation did not deign even to return a written reply. They refused to entertain the Allied proposals in any shape or form. They refused to listen to a suggestion by the Japanese delegate that they should accept the system providing safeguards for a limited period. They refused to consider anything at all, and simply insisted that their legislation and their judicial administration offered all the guarantee that foreigners could ask for. It was on this that the sub-commission broke down, for it was useless in face of such an attitude to proceed further with the question of *droit d'établissement*, or to go on to the important reserved question of the régime for scholastic, religious and charitable institutions.

"By what arguments, apart from their unsupported statements regarding the satisfactory nature of Turkish law and judicial administration, do the Turkish delegation support their contention that the Allies can safely renounce the secular immunities of their nationals without asking for guarantees in return? They state that certain companies with foreign capital but of Turkish nationality have long existed in Turkey without capitulatory privileges; that foreign owners of real property have not suffered inconvenience from being assimilated to Turkish subjects in respect of such property; and that there have been no complaints on the part of foreigners generally since September 1914, when, by an unilateral Act, the validity of which was contested by all the Powers, the Turkish Government abolished *de facto* the capitulatory régime. The first two of these arguments relate to the experience of a limited number of companies and persons. The companies referred to are powerful corporations, which work under special concessions, and which certainly had means of meeting difficulties which are not open to the ordinary merchant or small commercial company. Foreign owners of real property are comparatively few in number, and they are as a rule careful to keep out of the law courts, where, if they have cases, they suffer the same difficulties and delays as the Turkish subjects to whom they are assimilated. The third argument is that there have been no complaints since September 1914. There has been no opportunity since that date of judging in normal and settled conditions of the operation of Turkish law and judicial administration in regard to foreigners without the accompaniment of safeguards. The Germans and Austrians enjoyed a position in Turkey during the period of hostilities which undoubtedly gave them opportunities for safeguarding their interests by special means. Even so, there is some reason to believe that they were dissatisfied. The neutrals had perforce to keep silence, but that they were dissatisfied is proved by the fact that they revived their consular courts after the armistice, and sought to participate in the benefits of the Mixed Judicial Commission set up last year by agreement between the Allied Powers and the Constantinople Government. The Allied Powers themselves had few subjects in Turkey during the period of hostilities. Such few as they had were hampered in every way. After the armistice the Allies protected them against any attempt on the part of the Turkish authorities to exercise jurisdiction over them. No one has had during these eight years an opportunity of testing in any normal fashion those qualities which the Turkish delegation claim for the law and the judiciary of Turkey.

"It is certainly not at this moment that the Allied Powers should be asked by Turkey to accept the assurances of the Turkish delegation as sufficient to dispense them from their duty to obtain safeguards for their nationals. The arbitrary proceedings of the Turkish authorities in regard to foreign persons and foreign interests on their re-entry into Smyrna have aroused the gravest apprehensions in all Allied countries. Within a short time of their return they seized the Smyrna–Aidin Railway system, and, when eventually they were induced to return it, they alleged as a pretext that it had been abandoned, although it was notorious that the director-general of the railway was one of the few British subjects who had remained in Smyrna. They destroyed confidence and made banking operations practically impossible by various measures, one of which was the sequestration of all moneys belonging to Greeks and Armenians in all banks. They requisitioned foreign property freely, and they even threatened to apply to the property of foreigners who had left Smyrna temporarily that arbitrary measure known as the "Law on Abandoned Property." Their attitude towards their own subjects has been such that numbers of Jews, members of a non-Moslem community of which the Turkish delegation themselves admit that Turkey has never had reason to complain, are liquidating their property and leaving Smyrna.

"When we have used the example of Smyrna in the sub-commission, we have been told by the Turkish delegation that everything that has happened there has been due to abnormal circumstances. The conditions at Smyrna have been in truth abnormal for reasons with which the world is familiar. There might have been some force in the Turkish argument if the acts of which Allied subjects so bitterly complain had been confined to matters of military necessity. But it was not so. Too many of these acts, the measures taken in regard to the banks, for instance, were of a nature to destroy any remnant of normal conditions which might remain. It was the duty and it would have been to the interest of the Turkish authorities to do their utmost to reassure foreigners. They have wholly failed to do so.

"Even in Constantinople, a place still under Allied occupation, the apprehensions of Allied subjects have been stimulated to the highest degree by the proceedings of the Turkish authorities since the Angora Government took over the civil administration. The sudden and arbitrary introduction of regulations devised for Anatolia and unsuitable to a great capital has produced a dislocation of trade. Foreign firms have no longer the courage to import from abroad. The import trade in cotton goods, a staple trade between Great Britain and Turkey, has been shaken to its foundations. Foreign insurance companies are filled with anxiety by the demand for a heavy deposit, a demand unaccompanied by any revision of the law on insurance, which was the subject of so much grave criticism before the war. Foreigners have not even that sense of personal security which is the first condition of their continuing to carry on business in Turkey. Some weeks ago a respectable British subject, named Brooks, who had been set upon by roughs in the street, was arrested by the police whom he called to his assistance, was treated in the most insulting fashion, and was not released until the following day. A single incident of this kind, while Constantinople is still occupied by Allied troops, is regarded by all Allied subjects as an augury of worse to come when Turkish authority has free play in Constantinople. Their apprehension may be well or ill founded, but it cannot be allayed by mere assertions that the operation of Turkish law will henceforward assure to Allied subjects the protection which they have hitherto found in their secular immunities. In the countries of the Allied Powers a Turkish subject is safe from arbitrary acts of the above description.

"At a time like this, foreigners in Turkey judge by what they actually see, and judge of their own future without safeguards by the treatment they have seen meted out to native non-Moslems, nay to Turks themselves who have incurred the displeasure of the Government. It is not in such a time of social and economic crisis, it is not when Turkey is engaged in so many new experiments from which foreigners have already suffered so much at a place like Smyrna, where they have been established for centuries, that those foreigners will be content with assurances that they can place all their faith in Turkish law as it exists at present or as the Grand National Assembly may modify it, or in Turkish judges as they know them to-day. It is not at such a time that the Allied Powers can ask their own nationals to dispense with safeguards, or jeopardise the position of other Powers in this matter by setting an example of complaisance."

Ismet Pasha made the following statement:—

"The First Sub-Commission, which was required to study the status of foreigners in Turkey, has at its various meetings examined two principal problems: the conditions under which foreigners can settle in Turkey and the judicial régime.

"After some general observations by the various delegations, the first of these two questions was referred to a committee of legal advisers, but I will call attention to one essential point in the report of the sub-commission concerning the nationality of companies; I feel bound to make reservations on this subject, as there has perhaps been a misunderstanding. This question will of course be examined conjointly with the other clauses respecting the settlement of foreigners.

"As regards the second question, a wide divergence of opinion was found to exist between the Allied and Turkish delegations. By the Allied scheme it was proposed to introduce into the Turkish courts an element consisting of foreign judges, to be proposed by the Permanent Court of International Justice, whose task it would be to collaborate with the Turkish judges trying all suits affecting nationals of the Allied Powers. A definite part was also to be assigned to them in the drafting of schemes for reform.

"The Turkish delegation were greatly astonished to find themselves confronted with such a proposal, the purpose of which is to institute a régime clearly incompatible with the independence and sovereignty of Turkey. Their surprise was still greater when they found that the proposed restrictions on Turkish sovereignty would be far wider in scope than those arising out of the Capitulations, the iniquity of which is generally admitted.

"The administration of justice is one of the essential attributes of sovereignty, and therefore any kind of interference in the exercise of that power, in the application of the law or in the organisation of the courts, and any restrictions on the appointment of judges are infringements of sovereignty to which no independent State could agree.

"It would be a violation of Turkish sovereignty to oblige the Turkish Government to select foreign judges out of a list presented by an international organisation, even were these judges to be in the pay of the Turkish State and to exercise their functions in its name.

"At the First Sub-Commission the Allied delegations stated the reasons which led them to propose this system. These reasons were based on certain considerations relative to Turkish law and the qualifications of Turkish judges.

"The Turkish delegation did not fail to demonstrate in reply that there was no ground for such anxiety. They maintained that the present state of Turkish law is such as to meet all the requirements and necessities of modern life. As we have already had occasion to state at the first meeting of the Second Commission, Turkey set to work, more than sixty years ago, and has effected important reforms in her legislation by reorganising her courts and enacting laws on the lines of European laws. Turkey has never ceased to follow the progress effected elsewhere in judicial matters; without letting herself be discouraged by the obstacles placed in her path, she has never hesitated to persevere in the pursuit of reform and in the improvement of her judicial institutions.

"It was alleged at the sub-commission that the Turkish Civil Code rests on a religious basis and does not meet present-day requirements. The Turkish delegation pointed out that the Turkish Civil Code, from whatever sources it may be derived, had no religious or theocratic character; that there was no appreciable difference between it and the codes of foreign countries as regards the fundamental principles and the rules of law enshrined in it; and that, as no State has a Civil Code altogether identical with that of another country, one could not in any way detract from the value of the Turkish code by pointing out certain differences between it and other codes.

"It is also necessary to observe that even under the capitulatory régime, and even before the enactment of the laws now in force (a far more important point), the Turkish courts used to apply the provisions and rules of law then existing in the country to Turkish and foreign nationals alike.

"The Capitulations, which made express provision for the application of the Shariat Law, only introduced one departure from the fundamental laws, namely, as regards the necessity of producing written proof and not oral testimony in cases concerning debts. Now, for a long time past the Turkish Code of Civil Procedure has made this the general rule, and only written proof is accepted, save in claims for sums of less than 1,000 piastres.

"Since Turkish laws have constantly been applied to foreigners for centuries, why should it be proposed to aggravate the present situation? And why should it be desired to apply laws other than those now in force, including the Turkish Civil Code, even in Cyprus, where the capitulatory régime disappeared long ago?

"The Turkish delegation cannot believe that it is the intention of the Allied Powers to institute a system more burdensome than the capitulatory régime.

"As regards the qualifications of Turkish judges, it was stated at the sub-commission that, while their integrity was beyond dispute they did not succeed in applying the laws properly, however modern and thoroughly perfected those laws might be. This is the only reproach levelled against them, and, moreover, it is quite unjustified. It is Turkish judges who have exercised judicial functions for centuries without the collaboration of any foreign elements. The institution of the first mixed court of Constantinople is of comparatively recent date, and there is no trace of it in the Capitulations. This court was an irregular extension of the chambers of commerce, consisting of notables, the original purpose of which was to apply the customs then in force in cases of dispute between traders, and until quite recent times it was always these traders who sat in the first court. We think there is no need to dwell on the defects of the system and the unhappy results—harmful even to the interests of foreigners—which this arbitrary organisation brought about. What is more, even after this mixed court had been set up, the most important lawsuits respecting house property, leases and rents, all lawsuits of large companies with foreign capital, and all penal suits remained solely within the competence of courts composed of Turkish judges alone. Is not that sufficient proof of the high character and qualifications of these judges?

"This is not all. How can one ignore the difference between Ottoman judges of past centuries and those of the present day, who have been chosen for the past forty years among legal graduates holding diplomas of the faculty of law, a faculty modelled upon those of Western countries and possessing the same curriculum? It cannot be argued that the level of instruction and knowledge among the present-day Turkish judges is lower than that of the former judges, who only applied the Shariat Law. Also, it would be quite unjust to regard the quality of Turkish judges as inferior to that of the judges in certain neighbouring countries, where there is no question of introducing a special judicial system. It cannot be denied that the introduction of foreign elements into the Turkish judiciary in any form whatever would constitute a grave infringement of Turkish sovereignty. It must be repeated that, even in the Capitulations, no provision of this kind exists. The Turkish delegation have every right to hope that the Powers do not intend to propose to them a régime which would perpetuate, under a disguised name or form, an aggravation of the capitulatory régime. It is necessary to emphasise the point that what Turkey condemns, with a view to recovering her independence and sovereignty, is not a mere word, but a system and an entire principle.

"Turkey is requested to furnish guarantees for Allied nationals; but these guarantees already exist in Turkish laws and institutions, just as they exist in those of other independent States; and no distinction is drawn between Turkish nationals and foreigners, who are entitled to the same protection, as regards both their persons and their property, as Turkish subjects. There is therefore no justification for preferential treatment of foreigners, which none of the Powers represented here could tolerate in its own case.

"Apart from this, more than half of Europe, including Italy, has long since recognised the soundness of the Turkish argument; and the régime of general international law which has been operative in Turkey since 1914, without the conclusion of any convention whatever, has never given rise to any complaint on the part of the very numerous nationals of neutral States, or on that of the Allied nationals, who remained in Turkey. The experience acquired during this long period of eight years has proved that Turkish institutions are entirely adequate and contain all the guarantees necessary for safeguarding the interests in question.

"The Turkish delegation consider that they have given ample proof of their desire to reach a solution and of their conciliatory disposition, by leaving the conduct of cases respecting family law and capacity to national courts of the countries to which Allied subjects belong.

"In all the financial, economic and legal questions laid before the conference constant allusion is made to the necessity of a period of transition. The Turkish delegation are obliged to state publicly, addressing the public opinion of the whole world, that all the proposals for the establishment of such a period in connection with any of the above-mentioned questions are worse than the old régime (the flagrant injustice of which is no longer denied by anyone), and contain provisions even more incompatible with the sovereignty of Turkey.

"The most striking example of this is the proposal made to the Turkish delegation regarding the judicial system.

"At the time when the capitulatory régime alone was operative, the dragomans of the consulates came to the courts merely as listeners and had no right to take any part in the proceedings at all. It is now proposed that foreign judges should sit in the Turkish courts and even form the majority on the bench.

"Moreover, any period of transition, whatever form it may take, is useless; and when a State possesses institutions and laws its independence and right to live must be recognised.

"As regards the demand for guarantees in judicial matters in favour of foreigners, the best proof of its injustice is that these guarantees have not been required of any of the recently constituted States. It is also unjustifiable in so far as it refers to the Turkish judges and to the laws now in force.

"Not only have the Balkan States been free from all capitulatory restrictions ever since they came into existence, but also no such régime has been set up in the States created after the great war, for instance Poland, Czechoslovakia, Lithuania, Esthonia, &c. Such a régime does not even exist in Greece.

"As Turkey forms an independent nation and State, she cannot be expected to accept in any shape or form proposals which are unjust and constitute an outrage on her sovereignty.

"In the speeches which have been delivered and in the explanations furnished subsequently, the British delegation have quoted certain examples which were calculated to diminish the prestige of the Turkish judiciary and police. These accusations, which are based on no concrete and definite fact, cannot give a precise idea on any subject whatever; nor can any comparison be drawn between the acts which gave rise to these accusations, and the conduct, attitude and proceedings of the foreign authorities at Constantinople during the last few years. The aggressive acts which Turks have had to endure in their own country at the hands of foreigners have been of such a nature that, if one had to base one's knowledge of the civilisation and administration of certain countries upon these acts, one would be entitled to doubt the very existence of any laws at all in the States to which these foreigners belong.

"The Turkish delegation have no fear in calling upon the public opinion of the world to judge and compare the treatment accorded to foreigners in Turkey by the Turks, both in the past and at present, and the cruel and arbitrary treatment to which the Turks have been subjected by foreigners at Constantinople and elsewhere at the same time and under the same conditions."

M. Barrère said that it was impossible for the French delegation to accept the blank refusal with which the Turkish delegation had met the Allied proposals. The French delegation had agreed to renounce the Capitulations because they considered that some features of that régime were out of date, and that others—especially those respecting financial matters—were in part unjust; but at the same time, they had clearly indicated that they expected the Turkish Government to set up a régime which, while not bearing any resemblance to the capitulatory system, would give foreign nationals adequate guarantees as regards both civil and criminal justice. It would, therefore, be impossible for the French delegation to consent to the suppression of the Capitulations if sufficient guarantees were not furnished by the Turkish Government.

These guarantees were defined with great moderation in the scheme presented by the Allies, and so M. Barrère was much surprised to hear Ismet Pasha say that the proposed régime was worse than the Capitulations themselves. No proof had been produced in support of this unexpected statement. He desired to make an urgent appeal to the Turkish delegation not to persist in maintaining a position where it would be impossible for the Allied delegations to meet them.

Baron Hayashi wished to make a few observations. When the Allied Powers presented their proposals he had thought that their scheme was not in conflict with the sovereign power of Turkey, that they had shown a conciliatory spirit, and that they had framed their proposals in such a form as could not offend Turkish susceptibilities.

But after listening to Ismet Pasha's speech, he feared that the Allied Powers still had grounds for considerable anxiety as regards the guarantees which their subjects required. He hoped that the Turkish delegation would be good enough to show the Allies, not in words, but in deeds, that foreigners would be secure in coming into contact with Turkey, by giving certain guarantees for which they asked. Some little time since he had explained that years ago Japan was in the same position as Turkey, and that a number of years had elapsed before Japan was able to secure the full consent of the Powers to the abolition of the capitulatory régime. She had finally succeeded in doing this with the assistance of the European Powers. Why could not Turkey adopt a similar attitude? Turkey was now coming into new relations with Europe and the rest of the world, and required the sympathy and help of other countries; it was most desirable that she should see her way to coming to an agreement on this important question. If the Turkish delegation could not agree with the Powers on certain details, why did they not propose some counter-scheme? To put the matter in an extreme form, the Allies were not assembled merely to be dictated to by any one party. Some days since he had said to Ismet Pasha that the key to the settlement of this question was in his hands; if he would show a slightly more conciliatory spirit, the whole difficulty would be solved. He sincerely hoped that Ismet Pasha would consider the matter in this light.

MR. CHILD made the following statement:—

"The United States has an independent position which is based on two important and serious considerations.

"The first is the sanctity of obligations. The United States enjoys certain treaty rights which are obligations of Turkey. In 1914 these obligations on the part of Turkey existed towards many nations. The United States is one among these nations whose rights under these obligations cannot be set aside by Turkey alone except by repudiation. We do not believe that Turkey desires to follow the unsuccessful example of the nations which base their independence upon the mere repudiation of international obligation.

"The second consideration is the fundamental equity which foreigners, such as the nationals of the United States, who have invested their personal or material fortunes in Turkey, may expect from the Turkish Government. The protection upon which they have counted cannot be withdrawn without the creation of obvious injustice. All the world, including, I believe, the Turkish people themselves, would look upon this injustice as an offence to those principles which create international faith and fidelity so necessary for the functioning of the social security of the world and the co-operation of economic forces.

"The representatives of the United States understand that in respect to these rights, created by treaty or by usage, the position of the Turkish delegation has been founded upon a desire for complete freedom from any restriction of the sovereignty and independence of Turkey.

"For the maintenance of Turkish sovereignty we have sympathy. For its progress we have much hope. We have observed that we are not the only representatives of nations here who have been inclined to accord to Turkey the recognition of her legitimate aspiration to be free of unwarranted interference. We have not, however, refrained and we cannot now refrain from stating our view that sovereignty not only creates a duty for zealous guardianship of rights, but, in its highest sense, creates also the duty for an equally zealous guardianship of its obligations. It is our view that sovereignty, in the sense of the prerogatives of a modern Government, is as often expressed in terms of co-operation with the outside world—such, for instance, as is involved in the presence here of his Excellency Ismet Pasha to make peace—as it is expressed in mere assertion of inviolability and sanctity. In the modern world a sovereignty which has its eyes only on its sanctity is a sovereignty of isolation. It is our belief that only those sovereignties are progressive which have the confidence and readiness to arbitrate, to co-operate and to contribute to practical ends.

"One of these practical ends, to which the sovereignty of Turkey would devote itself under natural developments, would be the substitution of new treaties with their rights and obligations for old agreements which might not be considered to meet the need of the times or of justice, or of new conditions.

"We can believe that in this attempt Turkey will find a fair and generous treatment from other nations, including our own, in exchange for a fair and generous treatment accorded by Turkey. But if her policy should be along other lines, it is difficult to foresee better results than the world has observed in recent cases of Governments which have attempted to prosper on the policy of repudiation.

"The position of Turkey towards the juridical status of foreigners and their property in Turkey, as we are now led to understand it, is that Turkey asserts that she possesses a juridical system—including not only laws, but their application in her courts—which will satisfy other nations and their nationals. Unfortunately, this satisfaction does not appear at this moment to be the fact. The fact appears to be that other nations and their nationals, no matter how ready they may be for means for co-operation with Turkey, are testifying that Turkey does not offer either the continuance of existing rights or substitution for them of a system which will safeguard foreign persons and property in Turkey. The security may exist in the mind of the Turkish Government, but the vital necessity is that foreigners themselves must feel that it exists.

"To the representatives of the United States it appears clearly that even if no question of obligation on the part of Turkey existed —as indeed it does—foresight would cause Turkish sovereignty to express itself in a programme dealing with the juridical status of foreigners in such a manner as would invite and not repel foreigners from that intercourse upon which the prosperity of nations is founded.

"With a full appreciation of the legitimate aspirations of Turkey for an inviolate sovereignty, we point out that treaties which will give foreigners a status of security in Turkey can deprive Turkey of nothing, and indeed would be the very foundation for her economic future.'

LORD CURZON spoke as follows:—

"I should like to make some observations on the debate to which we have just listened. Four speeches have been made of an exceptional character. I listened with much disappointment and great regret to the speech of Ismet Pasha, which seemed to me the most hard and uncompromising that he has delivered since this conference began. He conceded nothing himself and accepted nothing from us. None of the concessions or suggestions made by the sub-commission seemed to him of any value, and I was left with the impression that the Turkish delegation do not desire to come to any agreement upon this subject. Ismet Pasha has repeatedly assured me, both in public and in private, of his earnest desire to see our protracted proceedings result in a treaty honourable to both parties. How can that endeavour possibly be facilitated by such a speech as he has made this morning?

"I next turn to the speeches which followed. M. Barrère, who has throughout shown a spirit of the utmost courtesy and conciliation to all, and especially to the Turkish delegation, felt called upon to make a pronouncement more weighty than any which he has yet delivered. His words were not only those of weight but those of warning, and indicated that on this matter the French delegation cannot recede. I associate myself entirely with what he said upon the subject.

"Baron Hayashi then renewed the solemn appeal made by him some weeks ago. He spoke from the experience of a great country which has passed through precisely the same transitional stage as that denounced by Ismet Pasha to-day, and appealed to the Turkish delegation not to reject the advice which his experience and authority enabled him to give.

"The chief United States delegate then made a declaration of a kind which cannot be ignored, a declaration which will make a great impression outside. It comes from a distant but very powerful country, detached from all European quarrels and troubles. He stated in clear terms the general principles which ought to regulate the relations of civilised peoples, and defined the true conception of independent sovereignty—not the false image evoked by the suspicions of the Turkish delegation. He criticised in moderate terms the present judicial system of Turkey, and he insisted on the absolute necessity of making a new treaty and new arrangements.

"These speeches will go through the world, and will make a profound impression. If their spirit and tone are contrasted with those of the Turkish delegation, will anyone have the slightest doubt on which side the verdict of public opinion will be given?

"What is the exact position which will be presented to the whole world to-morrow morning? A sub-commission, which has been sitting for weeks, has shown the utmost readiness to make large concessions on every point, and in particular on the main point around which much of the controversy turns—the judicial privileges enjoyed by foreigners in Turkey. The delegations have been willing to surrender all the old privileges in respect of civil courts, commercial courts, dragomans, &c., and have only asked in return for some substitute which will give the necessary guarantees for the protection of life and property and the pursuit of industry. They have made proposals, asked questions, and suggested different systems, one of which, proposed by the president himself, was for a provisional régime during a limited period. None of them is any good; they have all been thrown on one side; there is either no reply or else absolute refusal. On what ground is that refusal based?

"Ismet Pasha's reply took a three-fold shape. In the first place, he repeated again and again the old argument regarding the infringement of Turkish sovereignty. I am tired of replying to that argument. Cannot the Turks realise that theirs is not the only sovereignty in the world? Every delegate here represents an independent sovereignty at least as important and as jealous of its privileges and rights as Turkey. Do we object to foreign judges being called upon from time to time to decide affairs affecting our sovereignty? Not in the least. I could give a score of illustrations on matters affecting the territories, frontiers and interests of Great Britain in which we have been quite willing to submit disputes on these subjects to the arbitrament of foreign judges. Ismet Pasha maintains that it is inconsistent with Turkish sovereignty that foreign judges should ever pronounce on questions arising within the Turkish State. Some fifty years ago there was a case of vital interest to Great Britain which brought her into conflict with the United States—that of the 'Alabama'—after the American Civil War. Of the five judges in the court only one was British, the others being American, Brazilian, Italian and Swiss. The verdict went against us, and we had to pay 15,500,000 dollars. But no one got up in the British Parliament to complain of a violation of British sovereignty.

"I do implore Ismet Pasha to abandon this argument, to wrap up and put away in a cupboard this phantom of Turkish sovereignty which none of us wants to injure. Let us look facts in the face. I will not refer to the sovereignty question any more.

"In the second place, Ismet Pasha asked why any different system should be required in Turkey from that which is applied to the neighbouring countries. The answer is very simple: there is no analogy. In Turkey we are dealing with foreign colonies of great size and importance, established for centuries and deeply rooted in the soil, which have enjoyed a particular form of protection. In the neighbouring countries the colonies are small and do not represent anything like the same stake in money or in industry; and they went to those countries knowing exactly the conditions with which they would meet. Again, in the smaller countries near Turkey, the civil law did not take its rise from the Moslem law. Ismet Pasha says that the Moslem law as embodied in the Civil Code is not religious. The Turkish Civil Code may not deal with religious affairs, but it differs from that of the neighbouring States in one fundamental respect, viz., that it is the product of theological jurists and is based in the last resort on Moslem religious law.

"In the third place, Ismet Pasha repeated the assertion that the judicial system of Turkey is excellent and indeed almost perfect, that Turkey has an admirable code and an excellent bench of judges and magistrates. Unfortunately, everybody knows that this is not he case. The important thing is not what you think of your own judicial system, but what other people think of it, and, if the latter think it imperfect, their opinion will prevail though you repeat your opinion a hundred times. A King of England, George IV, repeated for many years that he had led the charge of the Guards at Waterloo, and ended by believing that he had done so, though, in fact, he was more than 100 miles away at the time. Nobody else believed him, and, similarly, it is no good for Ismet Pasha to continue saying that the Turkish courts are perfect. Presently I will tell him why.

"I have no desire to bring any charge against the integrity of the magistrates and judges at Constantinople, but everybody knows that they are not educated to the highest standards of modern judicial science. It is notorious that they are liable to pressure from outside, that they are underpaid, which is incompatible with good administration, and that their procedure is hopelessly dilatory. Everybody knows that the police in Turkey are badly officered and badly paid, and that their methods are often very arbitrary. In fact, the machinery of justice in Turkey is admittedly defective and prolonged delays are common.

"I believe that every foreigner in Turkey likes the Turks, who are, if I may venture to say so, a very attractive people. I have never met any Englishman resident in Constantinople who did not have a great personal regard for them. But the more you like them, the more do you become aware of the imperfections of their system, which are not denied by Turks themselves whenever you talk to them. I will give some instances of the kind of thing which foreign commercial interests in Turkey fear. Under the existing police system arbitrary arrests and domiciliary visits take place, sometimes upon a mere denunciation without any warrant at all. People are often detained in prison for a long time before trial; I know of cases in which Turkish subjects have been detained for periods of three to eighteen months. The same thing applies in civil and in commercial matters; long delays take place, and cases sometimes last for as much as ten years. The Turkish Commercial Code is well known to be out of date and very defective, and the Civil Code, being largely based on Moslem law, is not adequate to supply the defects of the Commercial Code.

"I will only put one more consideration before the Turkish delegation. It is indisputable that the prosperity of Turkey rests largely on the foundation of foreign trade. Great business houses—English, French, Greek, Armenian and no doubt others—have established commercial relations at Constantinople and invested large sums of money there. While they have made sufficient fortunes for themselves, they have contributed very largely to the prosperity and wealth of Turkey. If you decline to consider any revision of your judicial system and stand, as Ismet Pasha did this morning, on an absolute refusal, believe me, you will bring that system down with a crash. Just before I came to Lausanne several traders connected with Turkey and Constantinople held a meeting in London. They said that, if in consequence of the disappearance of the Capitulations their houses and premises were liable to be visited by Turkish officials, if they were liable to be brought up before Turkish courts on charges not necessarily fair by virtue of warrants issued by Turkish magistrates, to be detained pending trial in Turkish prisons, and possibly in the end to receive sentences carrying still longer detention in conditions fatal to their health, if not to their lives, not one of them would return to the country.

"The Turkish delegation may think that I have been pleading on behalf of British or foreign traders, but I am doing nothing of the sort. The matter of which I am speaking concerns the future prosperity of Turkey as much and even far more than any foreigners. Turkey is in no sense a self-contained country; she cannot keep up a fair standard of life with her own resources. Agriculture, one of the chief Turkish industries, is doubtless capable of great development, but it cannot progress without machinery, transport, roads, railways, waggons, locomotives, &c. Turkey cannot even feed herself without importing many of the requirements of civilised life. The whole movement of the 20th century is towards the development of industrial resources, but Turkey can never become an industrial country without outside assistance. Her people have not the necessary technical and business aptitudes for such industries as mining or manufacture. She is therefore obliged either to import manufactured goods from abroad or to engage foreign control for the development of her own industries. Unless you have a judicial system which makes life possible for the European traders and skilled advisers whom you require and for commercial travellers to go about your country, Turkey will gradually be reduced to the condition, not of a great and prosperous nation, but of a little country lost in the wastes of Asia. It is therefore just as much in the interests of Turkey as of any foreigner to agree to such protection for foreigners as will be provided by the revision of the Turkish judicial system.

"Surely the Turkish delegation cannot afford to disregard the very serious declarations made by the various speakers this morning. There has been no word of menace and no word of suppliance, but the Turkish delegation have heard from the delegates of the other Powers, in words which will be heard and echoed and endorsed far outside these walls, a number of statements and warnings which cannot be ignored. I should be very sorry indeed if Ismet Pasha's speech of this morning were to be his last word on the subject; if it were so, I really do not see what is the good of our going on. I beg the Turkish delegation to consider very carefully what has been said, and perhaps at a later date to give us the opportunity of hearing their revised views on the subject."

M. BOMPARD observed that the Turkish delegation had heard the views of the various delegations respecting the Capitulations. M. Barrère, in particular, had given the opinion of the Government of the French Republic. M. Bompard wished however to add a few words which his experience of Turkish affairs and his sympathy for Turkey entitled him to pronounce. He had lived in Turkey for many years, not only in days of happiness, but also in days of trial. He had made every effort to alleviate the misfortunes of the Turkish people. He had shared their joys and their sorrows. That was why he felt that he had both the right and duty to address the Turkish delegation in tones of friendly candour.

There was no disguising the fact that the question before the conference was extremely grave. Unless it was solved, peace could not be established. The capitulatory régime was doubtless defective, and in many respects out of date. Its revision and even its abolition were necessary. M. Bompard had held this view before the war and had never concealed it; but no one could imagine that the suppression of the Capitulations could be accomplished without the necessary guarantees being given to foreigners. The system proposed by the Allied Powers respected Turkey's sovereignty more scrupulously than any other. It was incomprehensible that anyone should express a contrary view. By taking as their basis the presence of foreign judges in the courts where suits concerning foreigners were to be tried, the authors of this system had endeavoured to give all possible heed to the claims of Turkey. M. Bompard feared that the ultimate effect of the loudly proclaimed desire of the Turkish delegation to safeguard the sovereignty of their country would not be to guarantee the independence of Turkey, but to bring about her isolation. That isolation had existed in the 15th and 16th centuries, when Turkey lived apart from the rest of the world; it was for the purpose of putting an end to that isolation that Sultan Suleiman the Magnificent accepted the régime of the Capitulations, which was destined to permit Turkey to enter into contact with Europe.

M. Bompard requested the Turkish delegation to examine the Allied proposals in a different spirit from that in which they had examined them hitherto. Surely Ismet Pasha would recognise that these proposals did not infringe Turkey's sovereignty, but, on the contrary, were in harmony with the principle of justice which lay at the root of relations between civilised nations. It was M. Bompard's hope that Turkey prided herself on belonging to that class of nations.

Ismet Pasha said that in order to answer all the speeches and reports which had been read at the present meeting he required to study them in detail and as a whole; and as he did not wish to delay the discussion he asked that the next meeting might take place as soon as possible.

Marquis Garroni said that the commission had taken note of Sir Horace Rumbold's detailed report and supplementary observations thereon; it had then heard Ismet Pasha's statement and the important speeches delivered by M. Barrère, Baron Hayashi, Mr. Child, Lord Curzon and M. Bompard. The general result of the discussion was to bring out the opposition existing between the Allied Powers and the Turkish delegation. The former desired the welfare of Turkey; they were willing to facilitate the economic restoration of that vigorous people, and with that purpose in view had submitted proposals whereby judicial guarantees would be substituted for the capitulatory régime. The latter had refused to listen to these reasonable proposals. Marquis Garroni had no desire to prolong the debate, but wished to invite special attention to the statements made with a view to discovering a ground for compromise between the two parties. In every conference it was necessary for each party to make concessions on some part of his claims in order to draw nearer to the point of view of the other side and thus arrive at a practical and useful result. Marquis Garroni referred to these proposals because he hoped that the Turkish delegation would follow the example of the Allied Powers and endeavour, during the period of reflection for which they had asked, to seek such a solution as would make it possible to attain the object which all members of the conference had in view.

(*The commission rose at* 1·10 P.M.)

ANNEX TO NO. 30.

Report by Sir H. Rumbold, President of the First Sub-Commission of the Second Commission, to the Marquis Garroni, President of the Second Commission.

THE First Sub-Commission of the Second Commission has held six meetings, on the 7th, 9th, 11th, 13th, 14th and 20th December, 1922, with the assistance of special delegations from the neutral Powers, who were heard at the first meeting.

The sub-commission divided the question submitted to its examination into four groups, viz.:—

(*a*.) The rights governing the establishment of individuals.
(*b*.) The rights governing the establishment of juridical persons and corporations.
(*c*.) The personal status of foreigners.
(*d*.) The judicial régime to be applied to foreigners in matters other than those of personal status.

At the first meeting the president communicated to the Turkish delegation, in the form of a questionnaire, of which a copy is attached (Sub-Annex I), certain general principles, which, in the view of the Allies, ought to serve as a basis for the solution of the various questions arising under headings (*a*), (*b*) and (*c*).

The Turkish delegation having replied to this questionnaire by a written declaration, of which a copy is attached (Sub-Annex II), these two documents formed the subject of a general discussion, which occupied the second and third meetings. This discussion revealed the existence of a considerable, though not fundamental, divergence between the two points of view, a divergence which has fortunately been reduced by certain concessions made by either side. In particular, the Turkish delegation, in the course of the discussion, agreed to the right of foreign individuals to acquire immovable rural property in Turkey, and adopted the principle that a foreign company, duly constituted in its own country, could retain the advantage of its foreign nationality even if its principal activities should be carried on in Turkey.

As it did not appear that the divergences of view on the other points were of a fundamental character, it was decided at the end of the third meeting to invite the legal advisers to continue the examination of the two texts and to attempt to find formulæ capable of reconciling the Allied and Turkish points of view.

At the fourth meeting, the president communicated to the Turkish delegation three questions connected with heading (*d*), and requested it to be so good as to define, in reply to these questions, its point of view regarding the guarantees which Turkey would be disposed to offer to foreigners as a substitute for the judicial privileges which they enjoyed under the capitulatory régime. A copy of this second questionnaire is attached (Sub-Annex III). The subjects dealt with in the three questions formed the subject of prolonged discussions in the fourth and fifth meetings of the sub-commission. The Turkish delegation found no difficulty in returning an affirmative reply to the first question, qualifying its adhesion to the principle laid down therein by one condition only, that of reciprocity. As regards the two other questions, the Turkish delegation strongly maintained that any introduction into the Turkish judicature of a special element, even in the conditions suggested in the questionnaire, would constitute an encroachment on the sovereignty and independence of Turkey. The Turkish delegation maintained with no less insistence that existing Turkish legislation amply met the requirements of modern life; that one could without any apprehension leave to the Grand National Assembly the duty of applying to this legislation such modifications as might seem necessary from time to time; that the Turkish judicature, which had been recruited for over forty years from among the graduates of the faculty of law, was fully qualified for its task, and that foreigners no less than Turkish nationals would find in the legislative and judicial system of Turkey all the guarantees required for the safety of their persons and their interests.

After having combated, with the support of his Allied colleagues, the arguments brought forward by the Turkish delegation in favour of this contention, the president handed to the Turkish delegation at the end of the fifth meeting a draft containing the detailed proposals of the Allies (Sub-Annex IV). He invited the Turkish delegation to entrust its legal adviser with the examination of this draft, in consultation with the Allied legal advisers, in order to see whether an agreement could not be reached.

The Allied legal advisers informed the president on the 18th December that the absolute divergence which existed between the Allied and Turkish points of view on questions of fundamental principle rendered it impossible for them usefully to pursue with their Turkish colleague the discussion of the question of the judicial system. They added that they had been able in agreement with him to evolve certain formulæ by which some of the questions connected with the rights of establishment might be satisfactorily settled, but that other questions of this nature remained, which were, in fact, the most important, on which it had not been possible to reach any agreement. In view of the difficulties presented by these latter questions, and of the fact that the eventual solution of the question of the judicial system would necessarily exercise a certain influence on the Allied point of view in regard to the establishment clauses, the Allied legal advisers felt obliged to beg the president to relieve them of the task which the sub-commission had entrusted to them.

At the sixth meeting, which took place on the 20th December, the president communicated to the sub-commission the negative result of the labours of the legal advisers. While not abandoning the proposals made by the Allies, he begged the Turkish delegation to state unequivocally whether it had any counter-proposals to put forward, or whether it considered that foreigners needed no special guarantees of any kind to replace the capitulatory régime. The Turkish delegation having once more replied that all the necessary guarantees already existed in the Turkish legal system and in the Turkish administration of justice, the president recognised with great regret that the sub-commission had reached a deadlock, and that there was no alternative but to report to Marquis Garroni, the president of the Second Commission, that the sub-commission was unable to continue its task.

December 23, 1922.

SUB-ANNEX I.

Conditions under which Foreigners may settle in Turkey.

Questionnaire presented to the Turkish Delegation by the President of the First Sub-Commission of the Commission on the Régime of Foreigners.

THE Turkish delegation are requested to state whether they accept the following principles:—

1. In the whole of Turkey nationals of the Allied Powers shall be received and treated both as regards their persons and their property in accordance with international law. They shall enjoy in Turkey the most complete and constant protection for their persons, their property, rights and interests. They shall have complete freedom to enter and establish themselves in Turkey, and may accordingly go, come and reside there, complying with the law and police regulations, and without being subjected on this account to any impost, tax, charge, or restrictions whatsoever to which Turkish nationals would not be subjected.

2. In order to take up residence or set up an establishment in Turkey, the nationals of the Allied Powers must be furnished with a certificate or registration paper stating their nationality, which will be issued to them by their respective Embassies, Legations, Consulates or Vice-Consulates established in Turkey.

3. The nationals of the Allied Powers shall have the right in Turkey to acquire, possess, and transfer all kinds of personal and real property; they shall be able in particular to dispose of it by sale, exchange, gift, testamentary disposition or in any other manner, or to enter into possession by way of inheritance according to the law or under dispositions *inter vivos* or by will.

They may engage in Turkey in all forms of commerce, professions, industry and enterprise permitted to Turkish nationals.

They shall not be subjected in any of these cases to any imposts, taxes, charges or restrictions whatever, other, or more onerous than those applicable to Turkish nationals.

4. The nationals of the Allied Powers shall not be subject in Turkey to the laws relating to military service; they shall be exempt from all such service and from every obligation or charge taking the place of such service, as well as from all requisitions, all forced loans, monetary or other contributions, taxes or charges whatsoever for warlike purposes.

Their property may not be expropriated, or the use of it denied to them even temporarily, except for reasons of public utility legally and publicly recognised as such and in return for fair compensation to be paid in advance.

5. The nationals of the Allied Powers in Turkey whom it may be necessary to expel under the order of a court or in accordance with the laws and regulations regarding the safeguarding of public morality, public health, or pauperism, shall be admitted at all times together with their families into the country of which they are nationals and in which they have retained their rights.

The transportation of the individuals expelled to their place of destination shall be effected by and at the expense of the Turkish Government in conditions complying with the requirements of health and humane treatment.

6. Commercial, industrial or financial corporations, including insurance corporations, and, generally, all juridical persons regularly constituted in the territory of any of the Allied Powers or who are legally recognised therein, shall enjoy in Turkey the same rights in all respects as the nationals of the said Powers. In all matters relating to their constitution, their legal capacity, and the right to sue and be sued they shall be treated in accordance with their national law, whilst remaining subject, so far as concerns their actual operations in Turkey, to the provisions of Turkish law; in all cases they shall enjoy in this respect the same rights as every other similar Turkish or foreign corporation.

7. In all questions relating to marriage and conjugal relations, paternity and affiliation, adoption, the capacity of individuals, majority, guardianship, trusteeship, interdiction, and, in general, the family law and personal status of the nationals of the Allied Powers, the national tribunals or other competent national authorities of the country to which those nationals belong shall have exclusive jurisdiction.

In all questions relating to the devolution and the division of the estates of nationals of the Allied Powers, to wills, legacies, dispositions *inter vivos* or by will made by the nationals of the said Powers, the national tribunals or other competent national authorities of the country to which the deceased person or the author of the deed of disposal belonged shall have exclusive jurisdiction.

December 7, 1922.

Sub-Annex II.

Counter-Proposals presented by Veli Bey on behalf of the Turkish Delegation on December 9, 1922.

The Turkish delegation on the first sub-commission of the second commission have the honour to present, as follows, the modifications which they consider it necessary to introduce into the draft which was communicated to them at the preceding meeting.

1. In the whole of Turkey nationals of the Allied Powers shall be received and treated both as regards their persons and their property in accordance with general international law. They shall enjoy in Turkey the most complete and constant protection for their persons, their property, rights and interests. They shall have freedom to enter and establish themselves in Turkey in accordance with the laws, decrees, ordinances and regulations relating thereto. They may accordingly go, come, and reside there without being subjected on this account to any impost, tax or charge whatsoever to which Turkish nationals would not be subjected.

Turkey reserves the right to regulate immigration.

2. In order to be able to invoke the provisions of article 1, the nationals of the Allied Powers must be furnished with a certificate or registration paper stating their nationality, which will be issued to them by their respective Embassies, Legations, consulates or vice-consulates established in Turkey. Nevertheless, the above-mentioned certificate and registration paper shall not constitute adequate proof of a nationality which may be contested.

3. The nationals of the Allied Powers shall have the right in Turkey to acquire, possess and transfer all kinds of personal and real property; they shall be able, in particular, to dispose of it by sale, exchange, gift, testamentary disposition or in any other manner, or to enter into possession by way of inheritance according to the law, or under dispositions *inter vivos* or by will.

The right to acquire rural property shall be reserved to nationals.

So long as they conform to the laws and regulations of the country they may engage in all forms of commerce, professions, industry and enterprise, except those reserved to the State or to Turkish nationals.

They shall not be subjected in any of these cases to any imposts, taxes, or charges whatever, other or more onerous than those to which the nationals of the most favoured nation are subjected.

4. The nationals of the Allied Powers shall not be subject in Turkey to the laws relating to military service; they shall be exempt from all such service and from every obligation or charge taking the place of such service.

With regard to forced loans, requisitions and all other monetary levies raised for warlike purposes, the nationals of the Allied Powers shall be subject to the same regulations as Turkish subjects.

Their property may not be expropriated or the use of it denied to them, even temporarily, except for reasons of public utility publicly recognised as such, and in return for fair compensation to be paid in advance.

5. The nationals of the Allied Powers in Turkey who may be expelled under the order of a court, or for motives based on the internal or external safety of the Turkish State, or in accordance with the laws and regulations regarding the safeguarding of public morality, public health, or pauperism, shall be admitted at all times, together with their families, into the country of which they are nationals.

The transportation of the individuals expelled to their place of destination shall be effected by and at the expense of the Turkish Government in conditions complying with the requirements of health and humane treatment.

6. Commercial, industrial or financial corporations, including insurance corporations, constituted in the territory of any one of the Allied Powers or legally recognised therein, shall be recognised in Turkey, and their capacity and right to sue and be sued shall be determined by their national law; with regard to the conditions of their establishment, their operations and the exercise of rights recognised by their national law, these corporations shall be subject to the provisions of Turkish law.

7. In all questions of personal status, that is to say matters relating to marriage and conjugal relations, paternity, affiliation, adoption, the capacity of individuals, majority, guardianship, trusteeship, interdiction, and, in general, the family law of the nationals of the Allied Powers, the national tribunals or other competent national authorities existing in the country to which these nationals belong shall have exclusive jurisdiction.

These provisions do not prevent the Turkish tribunals from deciding, in accordance with the national law of the parties, incidental questions connected with the matters contemplated in this paragraph.

In this case decisions relating to personal status shall only be binding on the parties to the suit and in respect of the subject matter of the suit.

With regard to personal property, all questions relating to inheritance or to legacies and concerning the right of succession or the division of estates shall be decided by the tribunals or other competent authorities existing in the territory of the country to which the deceased person belonged and in conformity with his national law.

In the matter of real estate questions relating to inheritance or to legacies and concerning the right of succession or the division of estates shall be decided exclusively by the tribunals or other competent authorities of the country in which the real estate is situated and in conformity with the laws of that country.

All the above-mentioned provisions shall be applied under the condition of reciprocity.

SUB-ANNEX III.

Questionnaire presented to the Turkish Delegation by the President of the First Sub-Commission of the Commission on the Régime of Foreigners.

1. Does the Turkish delegation admit that the nationals of the Allied Powers should have free access to the Turkish courts and may sue and be sued in the same conditions in all respects as Turkish nationals, without being subjected to any security or deposit of any sort by reason of their nationality or the fact that they are not domiciled or resident in Turkey?

2. Would the Turkish delegation be prepared to agree to the adoption of a system comprising the introduction into the Turkish magistracy of an element composed of magistrates who would be recommended to the Turkish Government by an international authority, as, for example, the Permanent Court of International Justice, and whose task it would be, while forming part of the Turkish magistracy, to collaborate with their Turkish colleagues, on bases to be discussed, in all matters concerning Allied nationals?

3. Would the Turkish delegation agree to the special element in the Turkish magistracy mentioned in the preceding question having a definite part in the preparation of the schemes of reform which will be necessary in order to adapt Turkish law to the requirements of modern life?

December 13, 1922.

SUB-ANNEX IV.

Draft respecting Jurisdiction in Matters other than Personal Status presented by the Allied Delegation to the Turkish Delegation on December 14, 1922.

1. The nationals of the Allied Powers shall have free access to the Turkish courts and may sue and be sued under the same conditions in all respects as Turkish nationals, without being subjected to any security or deposit of any sort by reason of their nationality or the fact that they are not domiciled or resident in Turkey.

2. Real property actions arising in Turkey between nationals of the Allied Powers, or between the latter and Turkish nationals, and relating to immovable property situated in Turkey, shall be brought before the Turkish court in the locality where the property in question is situated.

3. Personal, civil or commercial actions arising in Turkey between nationals of the Allied Powers, or between the latter and Turkish nationals, and which, in accordance with the ordinary rules of international law, would be within the jurisdiction of the courts of the country, shall, in the absence of any stipulation between the parties to the contrary, be brought before the Turkish courts.

4. In criminal matters the nationals of the Allied Powers in Turkey shall be subject, in accordance with the ordinary rules of

international law, to Turkish jurisdiction in respect of all kinds of criminal offences committed by them in Turkey, but without prejudice to any rights of jurisdiction which the Allied Powers may have under their own law over their own nationals for criminal offences committed by the latter abroad.

5. The Turkish Government undertakes from the coming into force of the present treaty to engage magistrates to form part of the Turkish magistracy in adequate numbers in accordance with the succeeding provisions, who will be proposed by the Permanent Court of International Justice, and who will be attached to the courts of first instance of Constantinople, Smyrna and Brussa, and to the Court of Appeal and the Court of Cassation.

The conditions of engagement and the salaries of these magistrates shall be fixed by the Permanent Court of International Justice in agreement with the Turkish Government.

6. In the event of the Turkish tribunals being competent in any matter, the Turkish courts specified in article 5 will have exclusive jurisdiction, in first instance, over the suits specified in articles 2 and 3, as well as of prosecutions instituted in conformity with article 4, and, in general, over all matters concerning the nationals of the Allied Powers; the areas over which their jurisdiction extends shall be fixed accordingly.

When any of the tribunals and courts specified in article 5 has to deal with one of the said matters, whether by way of hearing or of preliminary investigation, a number of magistrates chosen from those mentioned in the said article 5, sufficient to ensure their composing the majority in the deliberations of the tribunal or the court, shall always sit as members of the court.

In all cases in which the tribunal or court is composed of several judges, a Turkish magistrate shall act as president.

7. The Turkish Government undertakes from the coming into force of the present treaty to form an advisory commission, on which those of the magistrates referred to in article 5, paragraph 1, who are assigned to the Court of Appeal or the Court of Cassation, will sit. It will be the duty of this commission to prepare all such schemes of reform as may be considered necessary in order to maintain Turkish law on a level with the conditions of modern life.

8. In the cities of Constantinople, Smyrna and Brussa, warrants for arrest and search warrants shall only be issued against nationals of the Allied Powers by the magistrates mentioned in article 6, paragraph 1, before whom the accused shall be brought without delay.

Nationals of the Allied Powers who have been arrested without a warrant *flagrante delicto*, or who have been arrested elsewhere than in the cities specified above under a warrant issued by a Turkish magistrate, shall always be entitled to demand to be brought without delay, and at the latest within forty-eight hours from the arrest, before one of the magistrates mentioned in article 5, paragraph 1, within whose jurisdiction the arrest was made. When this period has elapsed, release shall be obligatory.

9. All questions relating to the execution of judgments, service of judicial and extra-judicial documents, *commissions rogatoires*, orders for the payment of costs and expenses, free judicial assistance, and imprisonment for debt will be regulated between the Allied Powers and Turkey by special conventions to be concluded between the States concerned.

No. 31.

COMMISSION ON THE RÉGIME OF FOREIGNERS.

Minutes of the Third Meeting, January 6, 1923, at 4 P.M., under the presidency of Marquis Garroni.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Contzesco.

TURKEY.

Ismet Pasha.
Riza Nour Bey.

BELGIUM.

Baron Moncheur.

Also present:

BRITISH EMPIRE.

Sir W. Tyrrell.
Mr. Malkin.
Mr. Ryan.
Lieut.-Col. Heywood.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.

M. Fromageot.
M. de Lacroix.
M. Laporte.
M. Bargeton.
M. de Percin.
M. Barois.

ITALY.

M. Arlotta.
M. Guariglia.
M. Ciamarra.
M. Polverelli.

UNITED STATES OF AMERICA.

Mr. Amory.
Mr. Dwight.
Mr. Gillespie.

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* These minutes do not represent the signed versions of speeches other than the British.

JAPAN.	GREECE.
Mr. Nagaoka. Mr. Sato. Mr. Tani.	M. Dendramis. M. Politis.
ROUMANIA.	KINGDOM OF THE SERBS, CROATS AND SLOVENES.
Colonel Dumitresco.	M. Georgevitch.

TURKEY.

Tahir Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.	FRANCE.
Mr. Spring Rice. Mr. Wicks.	M. Lagarde. M. de Saint-Hardouin.
ITALY.	UNITED STATES OF AMERICA.
M. Indelli.	Mr. Belin.
JAPAN.	GREECE.
Mr. Hotta.	M. Collas.
ROUMANIA.	TURKEY.
M. Contzarida.	Rechid Safvet Bey.

Interpreter: M. Hervé.

MARQUIS GARRONI invited the Turkish delegation to reply to the speeches made by the Allied representatives at the meeting on the 28th December.

ISMET PASHA read the following statement:—

"The Turkish delegation have listened to the speeches made by the President (Marquis Garroni), M. Barrère, Baron Hayashi, Mr. Child, Lord Curzon and M. Bompard in the course of the meeting held on the 28th December.

"The arguments advanced by the various delegations in support of a transitory régime have been thoroughly examined by the Turkish delegation, and do not appear to them to prove the necessity of such a régime. On the contrary, it is clear that the most rational and simple course to pursue in this matter would be to apply in Turkey the system which is in force everywhere else.

"The statements of the various speakers can be summed up as follows:—

"1. That it is necessary, as a guarantee, to substitute a transitory régime for the Capitulations.

"2. That the scheme of guarantees handed to the Turkish delegation would not be incompatible with Turkish sovereignty.

"3. That Turkey has answered with a refusal, but has refrained from submitting any counter-proposal.

"1. While it is admitted that it would be unjust to re-establish the Capitulations, it is sought to justify the proposed transitory measures by arguing that the rights of foreigners must be safeguarded by means of special guarantees.

"After the statement of the Turkish delegation in regard to the adequacy of the existing guarantees, Baron Hayashi, like the first French delegate, dwelt on the need of proving by deeds and not by words that foreigners could live in Turkey without any additional guarantee, and said that as Japan had worked at the reorganisation and reform of her institutions for twenty years before she obtained the suppression of the Capitulations, Turkey could with advantage follow her example.

"The Turkish delegation consider that there is no need to restate the fact that foreign residents in Turkey are not protected by mere words, but that Turkey has been at work on reorganisation and reform for half a century (a point which meets the suggestion of the Japanese delegation), and has thus succeeded in creating institutions which are entirely consonant with modern needs. These institutions furnish concrete proof of the soundness of our argument.

"Lord Curzon maintained that these institutions do not meet the requirements of the present day, that the Turkish Civil Code is based on the Moslem religion, and that it is consequently of a different character to that of the codes in force in other States such as Greece, where, moreover, there is no foreign colony of much importance.

"The Turkish delegation feel bound to state once more that the Turkish Civil Code has no religious character at all, whatever its origin may be. It is an established fact that laws must be judged not by the sources from which they are derived, but by their actual contents and by the extent to which they meet the needs of the communities governed by them. Even setting aside the fact that certain large countries are governed by non-written law, which originates in the various institutions of social life of various times, it goes without saying that in many Western countries the codes of law are derived from various sources—custom, Roman law and Germanic law as well as canon law. It must also be observed that most of the principles enshrined in the Turkish Civil Code are not dissimilar to the provisions of European codes of law.

"As regards the argument based on the difference between the numbers of foreigners settled in Turkey and those in the various neighbouring countries (especially Greece), an argument which can hardly be said to tell in favour of the latter, Lord Curzon will surely admit that in such matters the principle cannot be determined by a question of numbers.

"The regions detached from the Ottoman Empire during the 19th century and still more recently, such as Macedonia, Epirus, &c., also contained fairly large foreign colonies; and yet the Capitulations were not maintained there, nor was any provisional régime substituted for them. This proves that it is not the number of the foreigners concerned which has decided their position.

"These regions afforded a far larger field of activity than the other parts of Turkey, and the diminution in the number of foreigners in those parts can only be explained by the different way in which they have been received there. It would not, therefore, be just to bring up as a reproach against Turkey the facilities and hospitality which she has invariably granted to foreigners.

"As regards the alleged defects in the Turkish commercial code, which is said to be much out of date, the Turkish delegation beg leave to remark that the most important parts of that code—those which deal with bills of exchange, companies, insurance and bankruptcy—have been completely remodelled and reformed.

"Lord Curzon further added that there was room for improvement in the administration of the existing laws, that considerable delays in dealing with cases had been observed, and that it was not a rare occurrence to find cases which had lasted over ten years.

"The Turkish delegation believe that judges in Turkey may sometimes give erroneous judgments (this happens in the courts of all countries); that the facilities for appeal placed at the disposal of litigants by the legislation of every country are designed for the express purpose of supplying a remedy for these errors; and that the delays which occur in settling certain cases are always due to the nature of the case or to other circumstances, and find their explanation in reasons of a legal nature or in the facts of the case. In other countries one often finds cases which last for several years and considerable delays in the process of preliminary enquiry, with lengthy detention in prison pending trial in consequence.

"Sir Horace Rumbold, president of the sub-commission, mentioned in his statement the arrest of a British subject at Constantinople and the perquisitions made in banks. The Turkish delegation do not know on what grounds these measures (which must have some legal basis) were taken; but they venture to point out in this connection that many of the acts perpetrated by the Allied authorities during the last few years in the occupied parts of Turkey are far more serious in their effect and much more difficult to justify.

"I wish to observe once again that more than half of the European States, placing their faith in our institutions, did not find it necessary after the suppression of the Capitulations to suggest setting up a provisional or transitory régime for foreigners who settled in our country; and that many neutral and other nationals have continued since 1914, and still continue, to pursue their activities in Turkey without any special guarantees for the protection of their persons and properties beyond those which Turkish law provides for our own countrymen.

"It is most important to observe that the laws and institutions of each State conduce to ensuring the protection of its own subjects' rights. Foreigners who come to visit or settle in the country doubtless profit by this protection, but it would be unjust and contrary to all the rights of a State that it should be obliged to obtain the consent of other States to the laws which it has to enforce upon its own nationals, and foreigners cannot claim a régime of special privilege in a country other than their own.

"2. Nearly all the speakers have argued that the scheme presented by the Allies is very moderate, and even includes some concessions as compared with the capitulatory régime, and that it does not in any way infringe Turkish sovereignty.

"May I be allowed first of all to draw a brief comparison between the two systems, and to make clear how insignificant the so-called concessions are as compared with the aggravation of the former régime which the Allied proposals would obviously entail?

"The Allies say they agree to submit to Turkish courts all disputes of every kind arising between foreigners, *i.e*, cases which under the old régime were exclusively within the jurisdiction of the consular courts; and they say that there is no longer to be any assistance or intervention on the part of dragomans in these suits, nor any action on the part of diplomatic missions.

"Now, under the capitulatory régime criminal cases and cases connected with real estate, leases and tenancies were dealt with by courts exclusively composed of Turkish judges, and all cases concerning real property were dealt with by Turkish courts direct without consular assistance. The Allied scheme, on the other hand, would hand over these cases to mixed courts. Under the old régime other civil or commercial suits between Turks and foreigners were dealt with by mixed courts where the majority of the judges were Turks; but by the Allied scheme these suits would be handled by courts where the majority of judges would be foreigners. Under the capitulatory system assessors were only included in the courts of first instance; the Allied scheme would bring in a majority of foreign judges into the Courts of Appeal, and even into the Court of Cassation. Formerly it was Turkish judges or authorities who issued warrants, effected search and executed sentences; the Allied scheme would deprive them of these powers and transfer them to foreign judges.

"The difference between the two systems is so obvious that the Turkish delegation feel they can forbear from going into details; it is sufficient to remark how entirely correct they were in saying at the last meeting that whenever a transitory régime is suggested, they find themselves confronted with a system more burdensome than its predecessor.

"As regards the question whether the introduction of foreign judges into the judiciary of a country would or would not be compatible with Turkey's sovereignty, the Turkish delegation are obliged to say that they cannot share the views which they have heard expressed by the various speakers.

"The Turkish delegation entirely concur with Mr. Child in thinking that the independence of a State does not signify its isolation or a disregard for the rights of others, that peoples must help each other mutually, that the necessary intercourse between peoples requires them to make certain sacrifices and agree to certain restrictions on their independence. Nothing could be more just or more consonant with international necessities than these ideas, which were so clearly and eloquently expressed. Turkey has no intention of isolating herself or ignoring the rights of others; she fully recognises that nations depend on each other in their relations and must have mutual respect for their rights, and that with this purpose in view they put up with certain restrictions. But it would be absolutely inadmissible that these restrictions should be carried to a point where the exclusive attributes of sovereignty were transferred to other States. The conception of Statehood would never allow of these restrictions being extended so far. Now as the administration of justice is one of these exclusive attributes of sovereignty, no independent State could consent to foreign judges taking a part in the exercise of judicial functions within its territory.

"Lord Curzon quoted the example of England who, though just as jealous of her sovereignty as Turkey, had not hesitated to submit her dispute with the United States in regard to the "Alabama" to foreign arbitrators; and he said that this resort to arbitration had not in any way been regarded as an infringement of her sovereignty. Turkey also resorted to arbitration for the purpose of settling the dispute between Russia and herself in regard to indemnification of Russian subjects. Doubtless there is nothing incompatible with sovereign rights in States resorting to arbitration for the settlement of disputes between them; but there is no need to point out what a difference exists between arbitration and jurisdiction, as regards both their nature and their juridical character.

"In the matter now under discussion we are not concerned with a particular conflict between States, but with a general measure which it is proposed to adopt in regard to lawsuits constantly arising out of relations between individuals. Can any instance be given of an independent State allowing foreign judges to administer justice permanently within its territory?

"These are the reasons why the Turkish delegation cannot accept the proposal in question.

"3. The Turkish delegation are reproached for criticising the Allied scheme without putting forward any counter-proposal.

"The Turkish delegation have declared from the outset, and repeated at the sub-commission, that they are ready to conclude conventions or agreements for the purpose of regulating the position of foreigners in Turkey in accordance with the general principles of international law. The sub-commission has already started to follow this line, and examined to a certain extent the conditions under which physical and juridical persons can settle in Turkey; it ought to continue its labours as regards questions relating to the personal status of foreigners and the conditions under which they can sue and be sued.

"The Turkish delegation are prepared to adopt the same basis of discussion in solving these other questions as has already been adopted in the matter of settlement in Turkey, namely, the provisions laid down in conventions between other independent States. To-day, even though similar arrangements do not exist between the Powers and Turkey, the latter does not fail to respect the rights of foreigners within her borders, and to ensure that these rights are safeguarded, by enforcing the rules of international law.

"After my last speech Lord Curzon recalled the fact that I have repeatedly expressed the desire to conclude peace, and he displayed some doubt in regard to the possibility of attaining that object.

"It seems to me unnecessary to explain what efforts my Government and I have already made and will continue to make with a view to concluding peace. It is the hope of obtaining recognition of our rights which guides us in every question and impels us to set forth our views frankly and without any hidden design. We are actuated by the broadest spirit of conciliation and understanding, and we have no desire to trespass on the rights of others. I have always said that the Turkish people, despite recent events and the results achieved after so much suffering and at the cost of incredible sacrifices, has in no way enlarged its just claims; it has always regarded itself as bound by its National Pact, which was concluded in 1920 in the midst of the gravest crisis in its history. I therefore wish to repeat what I have had the honour to state ever since the first day :—

"It is complained that we speak too often of Turkish sovereignty. We represent here a nation which is conscious of its independence and desirous of attaining a just peace. We came to the conference with the assurance that we would be treated as equals. The reason why we have frequently spoken of our sovereignty is that we have been compelled to do so owing to the proposals made to us, which were calculated to injure that sovereignty. No other sovereign State, not even Greece, has been confronted with proposals of this character.

"The Turkish people has the right, first and foremost, to be regarded like any other independent nation.

"There will therefore remain no obstacle to the conclusion of peace as soon as it is agreed, in accordance with the assurances given to us, to treat us on a footing of complete equality in all the questions discussed at the conference, with respect for our sovereignty and for our right to live. It will thus be seen that the key of peace is in your hands.

"The upshot of all these considerations is that the Turkish delegation, after examining the views of the Allies with the greatest care, have given proof of extreme goodwill by expressing their readiness to negotiate regarding the conditions under which nationals of the Allied Powers can settle in Turkey. These provisions take the place of the Capitulations in States whose relations are governed by the principles of general international law. The judicial Capitulations were in fact part of the régime for foreigners in the Ottoman Empire, contrary to the general rules. The schemes concerning the settlement of foreigners in Turkey will contain provisions whereby Allied nationals will be enabled to enjoy judicial protection and to have free access to the courts. The Turkish delegation would be justified in claiming that all questions affecting foreigners should be reserved exclusively to Turkish courts, but they are showing their conciliatory spirit by agreeing that the national courts in the countries to which those foreigners belong should decide cases of foreign family law, *i.e.*, those concerning celebration, jactitation and nullity of marriage, divorce, restitution of conjugal rights, judicial separation, paternity, affiliation and adoption, and also foreigners' lawsuits connected with coming of age, emancipation of minors, deprivation of civil rights, guardianship and trusteeship.

"The Turkish delegation wish to add that they would have no objection to the provisions which deal with these matters as regards the juridical position of foreigners being supplemented by detailed provisions concerning the protection of the law, on the lines of international conventions, the bases of which are most liberal, and consequently most favourable and advantageous to foreigners.

"The Turkish delegation earnestly hope that the Allied delegations, being animated with the desire not to ignore the legitimate rights of Turkey, will agree with the latter in recognising that the contractual guarantees which we propose, coupled with those provided by Turkish law, will guarantee to their nationals all the security required to enable them to co-operate in developing the resources of the country—a co-operation the value of which is fully appreciated by the Turkish people."

Marquis Garroni spoke as follows:—

"I had greatly hoped that the time which has elapsed since the last meeting of this commission, and the explanations given to Ismet Pasha in the course of friendly conversations, might have sufficed to induce the Turkish delegation to come to an agreement on the question of the Capitulations. It is therefore a matter of regret to me to find that, on the contrary, the Turkish delegation, as shown by the statement just made by them, adhere to their previous decision.

"I believe I may assume that, as regards the Capitulations, the Turkish delegation are concerned not only with the essence of the problem, but also with the effect which might be produced on Turkish public opinion by a compromise on this question. As regards the root of the matter, I will not now repeat the many arguments brought forward at the previous meeting, not only by myself, but also—and with greater force—by the representatives of other delegations. I wish, however, once more to bring out clearly the nature of the question, and I feel it is necessary to give this résumé in order that public opinion, which takes so large a part in the solution of the most difficult problems, may be in a position to judge with full knowledge of the facts.

"The Turkish delegation asked for the suppression of the Capitulations without drawing any distinction between the economic and judicial Capitulations. For our part we felt it necessary, first of all, to eliminate the disagreeable character which people in Turkey were generally inclined to attribute to the provisions regulating the position of foreigers, by recalling the fact that the Capitulations were nothing more nor less than conventions concluded between the parties thereto in their mutual interest.

"These are the facts. We ought to banish from our minds all erroneous ideas and recognise things as they are in their real essence.

"This point having been established, we observed that if it was desired to put an end to those conventions which are based on the fact that for many years they have governed the relations between foreigners and Turks, we would not object to the application of a new system as regards that part of the Capitulations which deals with material interests. We accepted the Turkish argument without any important reservations when we consented to equality of treatment as between foreign and Turkish nationals. Serious exceptions might, however, have been required, for it is easy to realise the prejudice suffered by persons who go to a foreign country on the strength of advantages secured to them in that country and then find that their position is modified all of a sudden, without any transitory period, in consequence of the State adopting a new policy, which, even if it is based on sound reasons, tends to abolish at one blow the conditions existing in the past.

"In matters concerning the judicial Capitulations, we agreed to suppression as a general principle, but this question is much more delicate because it relates to litigation and especially to the personal freedom of foreigners. We therefore asked for guarantees, though for a limited period only, so that we could feel morally and materially convinced that the law and the bench meet the requirements of modern life. Even as regards this transitory period, our proposals were so framed as not to infringe Turkish sovereignty, and we requested that, in the event of these proposals being considered unacceptable, the Turkish delegation should put forward other proposals which we could discuss.

"What more could we do in order to reach an agreement?

"As I have already said, I am convinced that in this matter of the Capitulations the Turkish delegation are as much concerned with the public opinion of their own country as with the merits of the question itself. If this is so, Turkish public opinion ought to be acquainted with the situation, and should not be allowed to think that it is desired to impose on Turkey something calculated to injure her dignity.

"When the facts have been presented in their true perspective, public opinion certainly ought to draw conclusions and examine matters in relation with the past, which cannot be destroyed in a single hour, especially when bilateral undertakings are involved; with the present, which should be regulated in such a way as to prevent injurious consequences; and with the future, for which such preparation must be made as will confer on the people and the Government not difficult conditions, but prosperity.

"Having spoken thus, it only remains for me to ask whether other delegations wish to make any suggestions."

LORD CURZON wished to say a few words in regard to Ismet Pasha's speech. When his Excellency asked at the last meeting for another meeting of the commission at any early date, at which he would deliver his reply, Lord Curzon had hoped to hear from Ismet Pasha something more than a mere answer to the criticisms made by the Allies on his previous statement. He had hoped that after more than a week the Turkish delegation would make some independent contribution to the solution of this grave question, but they had done nothing of the kind. All that Ismet Pasha had just proposed was that, instead of dealing with this difficult question at the conference and in the treaty, separate treaties should be negotiated between the Allied Powers and Turkey later on in regard to the conditions under which Allied nationals should live and conduct their business in Turkey. Had not his Excellency forgotten the main point, namely, that there would be no inducement to the Powers to conclude such treaties if their subjects were to live and work in Turkey under the existing conditions of the courts of law? Not only did Ismet Pasha produce no counter-scheme of his own, but he also appeared to make insufficient allowance for the generosity of the Allied proposals, which had just been summarised by Marquis Garroni. When the delegations came to Lausanne, Ismet Pasha had complained to Lord Curzon very strongly of the manner in which the decisions of the courts were controlled by dragomans under the old system; that was gone. His Excellency also complained of the presence in the mixed courts of foreign judges responsible only to the consular authorities; that also it was proposed to change. The system submitted by the Allies to the Turkish delegation would give Turkey courts which would be free to carry out their decisions without any outside control. The courts would be composed entirely of professional judges, responsible not to the Powers, but to the Turkish Government. These were very considerable concessions, but if they were not acceptable to the Turkish delegation, why did not the latter produce an alternative of their own, instead of merely presenting an inflexible negative?

Ismet Pasha had then proceeded to reply to some of Lord Curzon's observations at the previous meeting. Among other things he called attention to the character of certain acts which had taken place in Constantinople since the Allied occupation. Lord Curzon wished to remind his Excellency that there was no analogy between the circumstances existing during a military occupation and those that arise in the ordinary conditions of life. What all the delegations wanted was to build up a system whereby foreigners could live contentedly and pursue their businesses in Turkey; therefore what they had to compare was the normal conditions prevalent in other countries and the conditions which would exist in Turkey if the Capitulations were abolished and nothing were put in their place.

There was one part of Lord Curzon's speech, however, to which Ismet Pasha did not reply. Lord Curzon had pointed out that the conduct of the courts, the proceedings of the police, the administration of justice and the character of the present system were such as to cause a great lack of confidence among foreign peoples. The only reply which Ismet Pasha could now make was that sometimes abuses of justice and delays in carrying out sentences occurred elsewhere. But there was a two-fold difference. Firstly, the cases of failure and delay of justice elsewhere were very small in number and very unimportant in scale. Secondly, the administration of justice in most other countries was such that people were content to live and conduct their business under that system. Surely Ismet Pasha must realise that the case in Turkey was quite different. Take the commercial communities of foreigners established at Constantinople and Smyrna. These were not only very ancient, but also of great importance and vital to the commercial existence of Turkey herself. How was it possible to compare these communities with the tiny commercial communities scattered about in the former provinces of the Turkish Empire, to which Ismet Pasha had referred? These commercial communities in Turkey were now unanimous in asking for these safeguards. Surely they had some right to be heard as regards their own interests. And what would happen if no attention were paid to their demands? Two consequences would ensue. Firstly a great many of them, as Lord Curzon had previously pointed out, would shut up their places of business and go away; and, secondly, as regards those who remained (and Lord Curzon invited Ismet Pasha's special attention to this point) there would be constant friction between the foreign Governments and the Turkish Government, because these people would be exposed to a judicial system and a police system which they distrusted and therefore would always be appealing to their own Governments for protection. Thus, instead of producing those peaceful relations between the Governments which everyone at the conference desired, there would be a constant state of irritation and dispute.

Ismet Pasha had concluded his statement by saying that all the delegations were making efforts in the direction of peace. Lord Curzon only wished that some of these efforts were better directed. The new year had already come, and not much time remained before the conference must come to a close. Ismet Pasha had once more expressed the desire to conclude a treaty; that was the desire of all the delegates present. It was absolutely essential to arrive at some arrangement on this subject. Lord Curzon earnestly trusted that during the next few days the Turkish delegation would consider very carefully whether it was desirable or wise on their part to leave the matter where they had left it that day.

M. Barrère said that he had followed with close attention the remarks of the president of the commission, which could not have been couched in more moderate and conciliatory language, showing how the discussion had reached its present stage. He had also listened to Lord Curzon's most interesting comments. He would not presume to repeat what had been so ably expressed by these two speakers. He therefore concurred entirely in the statements made by Marquis Garroni and Lord Curzon in regard to the character of the proposals made by the Allies to the Turkish delegation. He expected to hear the latter formulate counter-proposals which would have made it possible to seek some common ground for agreement, lying between the uncompromising attitude hitherto adopted by the Turkish delegation and the very moderate views of the Allies.

M. Barrère confessed his disappointment at the non-appearance of any means whereby the problem could be examined afresh in that broad spirit of moderation which animated the representatives of the inviting Powers. It was not merely a question of obtaining guarantees for Allied nationals; Turkey's own interests—economic, financial and material—were also at stake. If Allied nationals did not receive a certain minimum of guarantees in Turkey they would be impelled to leave the country, which would suffer most seriously by their departure. M. Barrère said he would be glad if the Turkish delegation would be so good as to give serious consideration to this point when they examined the question further, as the Allied delegations expected them to do.

Ismet Pasha thought that he had replied to all the arguments in regard to the Capitulations in his statement at the beginning of the meeting. Out of deference to the delegates who had just spoken he wished to add a few words in order to define his views more closely.

Marquis Garroni had said that guarantees were asked of the Turks for a limited period so that people might be morally and materially convinced that the Turkish law and bench of judges met the requirements of modern life. Ismet Pasha repeated that Turkish law was consonant with the requirements and necessities of modern States, and offered complete security to foreigners who wished to settle in Turkey. The conference was not called upon to examine the question with an eye to the effects which might be produced outside; the matter should be investigated objectively with regard for the rights of Turkey and local needs.

It was no fault of the Turkish delegation that a week had passed since the last meeting of the commission, for they could have given their reply the very next day, and their views on the principle involved were already fixed. That was why Ismet Pasha had asked (as the commission would recollect) that the next meeting should take place as soon as possible.

In connection with the examples quoted by the Turkish delegation in reply to those brought forward by the British delegation, Lord Curzon had said that normal conditions could not be compared with those which exist during a period of military occupation. Ismet

Pasha said that he had anticipated this remark and had spoken with full knowledge of the facts; all the actions to which he had alluded had taken place at Constantinople during the same period and under the same conditions.

It had further been alleged that the Turkish people itself was not completely satisfied with Turkish administration of justice. The Turks were certainly just as well satisfied with their laws and administration as other nations were with theirs. There was no reason why foreigners resident in a country should demand more guarantees and privileges than the people of the country. The most efficacious guarantee imaginable lay in the simple, just and reasonable character of the laws which applied to Turks and foreigners alike. Foreigners would never feel completely safe nor have the necessary respect for the local authorities so long as they relied on having recourse to foreign judges and authorities. If, on the other hand, they were subject to one régime in common with the people of the country, they would come to understand that the best security of all lay in uniformity of the law, which would redound to their advantage in all spheres of activity.

The Turkish delegation were inspired with the most profound and sincere desire to attain a peace comprising all those conditions of stability which previous experience demanded. The essential condition for this stability was that the Turks should be treated in the same way as other nations. The Allies stated that they honestly recognised this right. If this recognition were real and unrestricted, the conference would have achieved very material progress.

Ismet Pasha, therefore, felt that he had set forth and explained in a most friendly manner the counter-proposal submitted by him at the beginning of the meeting. He hoped that the views of the Turkish delegation on the judicial Capitulations would be examined by the Allies in a sense of equity, and that they would finally be recognised as being entirely just and moderate.

MARQUIS GARRONI hoped that time would bring good counsel. History provided examples of a solution having been reached in even more delicate problems.

(*The commission rose at* 6 P.M.)

No. 32.

Commission on the Régime of Foreigners.

Minutes of the Fourth Meeting, January 27, 1923, at 12·15 p.m., under the presidency of Marquis Garroni.*

Present:

British Empire.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

France.

M. Bompard.

Italy.

Marquis Garroni.
M. Montagna.
M. Lago.

United States of America.

Mr. Child.
Admiral Bristol.
Mr. Grew.

Japan.

Baron Hayashi.
Mr. Otchiai.

Greece.

M. Veniselos.
M. Caclamanos.

Roumania.

M. Diamandy.

Kingdom of the Serbs, Croats and Slovenes.

M. Rakitch.

Turkey.

Ismet Pasha.
Riza Nour Bey.

Belgium.

Baron Moncheur.

Also present:

British Empire.

Sir Eyre Crowe.
Mr. Ryan.
Mr. Payne.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

France.

M. Serruys.
M. Laporte.
M. Bargeton.
M. de Percin.
M. Sanguinetti.

Italy.

M. Arlotta.
M. Guariglia.
M. Ciamarra.
M. Salem.
M. Guisi.

United States of America.

Mr. Dwight.
Mr. Amory.
Mr. Gillespie.

Japan.

Mr. Sato.
Mr. Tani.

Greece.

M. Michalopoulos.
M. Dendramis.
M. Politis.
M. Drossopoulos.

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* These minutes do not represent the signed versions of speeches other than the British.

ROUMANIA.
M. Contzesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Georgevitch.

TURKEY.

Munir Bey.
Chukri Bey.
Tevfik Bey.

Yahya Kemal Bey.
Mustapha Cherif Bey.
Zuhdi Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.
Mr. Spring Rice.

FRANCE.
M. Lagarde.

ITALY.
M. Indelli.

UNITED STATES OF AMERICA.
Mr. Belin.

JAPAN.
Mr. Hotta.

GREECE.
M. Collas.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Milanovitch.

TURKEY.
Rechid Safvet Bey.

Interpreter: M. Camerlynck.

MARQUIS GARRONI spoke as follows :—

"The Commission on the Régime of Foreigners, over which I have the honour to preside, has divided up the subjects to be discussed between three sub-commissions, the first of which had to deal with rights of foreigners settling in Turkey and the judicial régime; the second, with the fiscal régime; and the third with the question of nationality.

"As regards the conditions under which physical and juridical persons are to have the right to settle in Turkey, the proposals made by the sub-commission are in harmony with the rules generally accepted in the various countries, and have not been met with serious objections on the part of the Turkish Government. If it had been possible to settle the differences which have arisen between the Allied and Turkish delegations as regards the judicial régime, there would have been no appreciable difficulty in reaching agreement on the conditions for settlement in Turkey.

"Thus it was in regard to the judicial régime to be applied to foreigners that the sub-commission of which Sir Horace Rumbold is president encountered a difficulty which compelled it to suspend its labours.

"I will not recount all the arguments which my colleagues and I have already set forth at our previous meetings with a view to vindicating the justice and appropriateness of our proposals. But I cannot refrain from repeating that the Allies have approached the matter in a conciliatory spirit; that they wish to respect the sovereign rights of Turkey, to bring about the disappearance of all the drawbacks of the capitulatory régime, and to allow Turkey to have a judicial system which should be one and the same for all people in her territory—foreign and Turkish alike; and that they have therefore agreed that foreigners in Turkey should be subject to the same Turkish laws and courts, both in civil and in criminal cases, without any intervention on the part of consuls. We have, however, suggested to Turkey, in the interests of all, that she should complete her judiciary by employing foreign judges chosen from a list of candidates proposed by the Permanent Court of International Justice at The Hague, and that there should be a majority of foreign judges on the Bench (*a*) in the hearing of all civil cases where foreigners are involved; (*b*) in criminal cases, only when the accused party is a foreigner.

"In deference to the objections raised by the Turkish delegation to this proposal the Allies exerted themselves to discover such a solution as would respect all the susceptibilities of the Turkish Government. This solution was to create a commission of five members, all nominated directly by the Turkish Government, two of them chosen from among the officials of the Turkish judicial administration and three from among the judges and deputy judges of the Permanent Court of International Justice at The Hague.

"This commission would present to the Turkish Government the list of candidates from whom it would select legal advisers to be attached to the Ministry of Justice and assigned to service in the courts. In cases where foreigners were interested, one of these advisers would sit on the Bench. In the courts which have to pronounce final sentence in cases affecting foreigners, these advisers would form the majority on the Bench.

"This system does not apply to cases connected with real estate, which would be reserved for Turkish courts alone, as would also be done in cases where the sum of money involved did not exceed £T. 50.

"It is superfluous to compare the proposed system with the régime which previously existed in Turkey, for it is easy to point out that under this new system, apart from the safeguard provided in regard to the selection of judges, the Turkish courts would be enforcing laws promulgated by the State in the full exercise of its sovereign rights, and administering a code of justice equal for all in complete independence and without any foreign intervention whatever.

"It is, however, of some interest to add that all we require in this connection is a declaration by the Turkish Government undertaking to introduce the suggested reform, and holding good for a transitional period only.

"Having given these brief explanations, it only remains for me to refer to the draft agreement designed to provide definitely for the abolition of the capitulatory régime and to lay down the conditions under which foreigners may settle in Turkey; and also to the declaration regarding the judicial régime, to which we ask the Turkish delegation to subscribe. This draft will be distributed to-day.

" As regards the labours of the second sub-commission, which has dealt with the fiscal régime of foreigners in Turkey, I have the honour to ask its President, M. Serruys, to state the results attained by it."

The commission had before it (*a*) two reports from the second sub-commission, dated the 30th December, 1922 and the 24th January, 1923 (see annexes to minutes of the eighth and thirteenth meetings of the second sub-commission*) respecting the fiscal régime of foreigners in Turkey; and (*b*) a report from the same sub-commission dated the 25th January, 1923, concerning the revival or denunciation of certain treaties and conventions (Annex (A)).

M. Serruys explained that the second sub-commission had had a two-fold task; first, to devise a fiscal régime for foreigners in Turkey which could be substituted for the capitulatory régime, and would have for its basis the guarantees provided by public international law; secondly, to make provision for the revival of those treaties to which Turkey had been a party before the war, and for the adherence of Turkey to other international agreements.

As regards its first task, the sub-commission had felt that it should be guided by the principle of equality of treatment for foreigners and Turkish subjects. With a view to the rigorous enforcement of this principle, the Allied delegations had been obliged to examine in connection with article 4 the exemptions from taxes, dues or other charges, and the bonuses and other means of encouragement whereby the Turkish Government could benefit these nationals to the disadvantage of foreigners established on Turkish territory. The Turkish Government had, for instance, promulgated a recent law which gave its own nationals the benefit of certain exemptions. If this law remained in force, it might well undermine altogether the principle of equality which lay at the root of the draft convention; and it would doubtless enable new enterprises to paralyse with ease the older enterprises, which had been so useful and profitable to Turkey. Certain Allied delegations had agreed to give up their request as regards bonuses, on the ground that the bonus system had an exceptional character since it imposed on the State the obligation to make a disbursement in cash. The Turkish delegation had refused this compromise, but the Allied delegations had decided to abide by their proposals *in toto*.

Article 6 involved an exception to the principle of equality; it concerned levies on capital which had been enforced as an exceptional measure for war purposes. The Allied delegations had asked that foreigners should be exempted from levies of this kind. Their request implied reciprocity—a provision to this effect being included in many bilateral conventions between Western States. The Turkish delegation had accepted the principle of this exemption, but wished to limit it in practice to forced loans—*i.e.*, only one form, and perhaps the least common form, of capital loan contributions. The Allied delegations had asked that this exemption should be applicable to all other forms of exceptional levy on fortunes for war purposes. The Turkish delegation had not agreed to this more general formula;

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* Not printed.

but the Allied delegations had unanimously agreed that they could not give up this reciprocal provision.

It had also appeared to the Allied delegations necessary to make special mention of the religious, educational and benevolent institutions, the greater part of which had been established in Turkey for centuries. The delegations had considered that these institutions, whose work in Turkey had been and still was of such great importance, were entitled to at least as efficacious protection as companies of a purely economic character. The article on this subject laid down in paragraph 1, that there should be equality of treatment in fiscal matters for these institutions and similar Turkish institutions. The second paragraph made an exception; it provided that while the convention remained in force, these institutions should continue to enjoy one of their present privileges—one of the least important, as a matter of fact—namely, exemption from customs duty when importing into Turkey object necessary for religious worship, or materials and equipment for the maintenance of these institutions. This provision was all the more necessary, as these institutions had suffered severely from the war and it was absolutely necessary to renovate their buildings and equipment. The Turkish delegation had not accepted the provision contained in the second paragraph; and, although they expressed their agreement in principle with the contents of the first paragraph, they had considered that they could not adopt or even discuss it until the first sub-commission had reached a decision on the régime to be accorded to the religious, educational and benevolent institutions of the Allied Powers in Turkey. Thus, the attitude of the Turkish delegation towards this provision was merely one of suspense, based on considerations of procedure, as regards paragraph 1; it was one of absolute refusal as regards paragraph 2. The Allied delegations had unanimously decided to maintain this provision.

In the matter of the period during which the provisions of the convention should remain in force, the Allied delegations had unanimously requested that it should be ten years, whereas Turkey asked that it should be reduced to five years, during which Turkey would undertake to negotiate treaties regarding the settlement of foreigners; these treaties could either be incorporated in treaties of commerce or not. The Allied delegations had held that their request was a minimum, since it was impossible for foreigners to settle in a country like Turkey if the conditions of their settlement were not fixed for a fairly long period at least. The Allied delegations had been unanimous in insisting upon the ten years' period.

M. Serruys summed up the matter by stating that, except as regards article 4, the outstanding differences of opinion were of small importance, and his personal view was that agreement was not impossible in regard to the existing divergences. He was convinced that if the matter were examined in a conciliatory spirit agreement would be attainable.

MARQUIS GARRONI spoke as follows:—

"Now that we have heard the eminently clear report of M. Serruys, whom I thank warmly, I am happy to note that the sub-commission has succeeded in reaching agreement with the Turkish delegation on the greater part of the clauses to be inserted in the treaty.

"I would like to add a few words on some of the points which are still under discussion.

"The Allied delegations had asked for the extension to foreigners of such fiscal exemptions and other means of encouragement as the Turkish Government may grant to its own nationals; they are prepared to draw a distinction between fiscal exemptions and other means of encouragement. We would only claim for foreigners such relief from taxation as may be granted to Turkish subjects. As our request is limited in this way, I persist in thinking that the Turkish delegation ought to come round to our point of view; for otherwise the principle of fiscal equality between foreigners and Turks might become illusory.

"As regards the provision that foreigners should not be liable to an exceptional levy on fortunes in the event of war, I still hope that the Turkish delegation will accept our point of view, after further reflection, without difficulty.

"In the matter of the traditional fiscal privileges which religious, educational and benevolent institutions have enjoyed in Turkey, the Allies have renounced these privileges, and have agreed to these institutions being liable to all such fiscal burdens as may be imposed on similar Turkish institutions. There ought not therefore to be any difficulty in this respect.

"The Allied delegations, bearing in mind the fact that these institutions generally subsist on charity, and also the economic difficulties which they experience under present conditions, have asked the Turkish Government to prolong for a transitory period the privilege of exemption from customs duty on objects necessary for religious worship and on the materials and equipment required for the upkeep of such institutions. What is asked is a concession on humanitarian grounds, and I hope Turkey will not refuse it."

ISMET PASHA expressed the view that the greater part of the second sub-commission's labours had reached a satisfactory conclusion. The Turkish delegation had displayed great liberality in the matter of foreigners' rights to settle in Turkey. They had made no difficulty about accepting the international rules and the methods of application connected therewith. As regards the judicial system, the point of view constantly upheld by the Turkish delegation was that Turkey should be treated on the same footing as all other countries in the world. Ismet Pasha held that this was not an unjustifiable demand; it was a principle from which he could not swerve. He was convinced that the conscience of the world would be unanimous in recognising that this was a legitimate claim.

The second sub-commission had reached almost complete agreement. As one could see from the summary of its work, the Turkish delegation had constantly displayed the most conciliatory spirit and had granted to foreigners all possible facilities. The few points still in dispute were points on which, despite their extreme goodwill, it was impossible for the Turkish delegation to be more accommodating. Ismet Pasha took note of M. Serruys's optimistic statements in regard to the possibility of settling the few outstanding points; he shared M. Serruys's hopes.

M. SERRUYS said that he shared Ismet Pasha's conviction that agreement could be reached on the points not yet settled. If the Turkish delegation would accept article 4 in exchange for paragraph 2 of article 7, unanimous agreement would apparently be possible. From a practical point of view the best course would be for Ismet Pasha to communicate to the second sub-commission written proposals; this would render an equitable compromise possible.

ISMET PASHA willingly consented to submit proposals in this sense, and shared M. Serruys's hope in regard to discovering a fair compromise.

Provisions relating to Nationality and Antiquities.

MARQUIS GARRONI requested M. Montagna, president of the third sub-commission, to read his report.

M. MONTAGNA read the report in question (Annex (B)).

MARQUIS GARRONI noted with pleasure that this sub-commission had succeeded in reaching complete agreement on the matters with which it had had to deal.

ISMET PASHA thanked M. Montagna for having brought to a successful conclusion the labours of the third sub-commission, which had dealt with the question of nationality. Apart from certain small reservations, he also regarded the question as completely settled. He only wished to call attention to the following points:—

The periods fixed by articles 2 and 3 for exercising the right of option were altogether insufficient; the persons concerned ought to be able to avail themselves of this right during a period of at least two years from the coming into force of the treaty of peace. The view of the Turkish delegation on this matter had moreover been accepted by the sub-commission.

In article 5, the Turkish delegation proposed some changes of drafting; for instance, it would be well to say in paragraph 1 of that article " between the Governments of the detached countries " instead of " between the Governments exercising authority in the detached countries," and at the end of the same paragraph the words " of those detached countries " should be substituted for " exercising authority there."

Lastly, article 6 ought to contain a reservation in regard to the nationality and right of option of persons possessing the nationality of the contracting parties. The following addition should therefore be made: " without prejudice to the status of persons of their own nationality."

Ismet Pasha hoped that these small amendments would not fail to be taken into consideration, and the work of the second commission would thus be completed.

M. MONTAGNA said that the proposals of the Turkish delegation were entirely new, except those relating to the period allowed for option. Moreover, the text of the articles laid before the commission embodied exactly the decisions reached by the sub-commission.

Lord Curzon spoke as follows :—

" I wish to make a few observations on the passage in M. Montagna's report which refers to antiquities. The question of the preservation of historical monuments and objects of artistic and archæological interest is one which excites much attention in the modern world, and I have myself devoted close attention to the matter in India and elsewhere. The obligation to conserve such monuments and objects with care and respect is accepted by all civilised Governments, and no Government is more scrupulous in observing this obligation than the Turkish Government. M. Montagna has just told us in his report that the existing Turkish legislation is sufficient to secure the proper protection of these relics of the past. But one matter arises in this connection on which I wish to say an additional word. It concerns the objects of historical or artistic interest which have been removed since the outbreak of the great war from the former Turkish Empire or from territories which remain Turkish. The principle of restoring works of art has been carried very far since the war. No one knows better than the president of our commission what has been done in the way of restoration to Italy of Italian art treasures formerly in Austria ; and similarly in the north, works of art have been restored by Germany to Belgium. But the matter with which I am dealing is of narrower range. I was somewhat surprised to find no indication in the report of the sub-commission that the Turkish delegation were willing to make a declaration on a question which is of great importance not only to Angora and Constantinople, but also to the whole world of Islam. In 1917 the Turkish military authorities at Medina removed to Constantinople certain objects from the tomb of the Prophet, objects of supreme veneration to Moslems in every country. When I was in India provision had to be made every year for many thousands of Indian Moslems to make the pilgrimage to Mecca and Medina ; and the Haj is an object of veneration to millions of Allied subjects all over the world. These pilgrims were always accustomed to see the treasures of which I have spoken at the Prophet's tomb, and it is very much to be regretted that the Turkish delegation should be unwilling to give any assurance in regard to their return. It is not as if they came originally from Constantinople ; they were presents offered to the tomb of the founder of the Moslem religion by Moslems of every nationality in the Eastern world, in order that they might remain for all time on the walls of the tomb or in close proximity to it. There might have been some excuse if Medina had been occupied by an Allied Power, or were now ruled over by a non-Moslem sovereign. But that is not the case, and so it can only be a subject of great sorrow and regret to the Moslem pilgrims who come to Medina from every part to find the tomb of the Prophet stripped of the treasures by which it was formerly surrounded. The interests of millions of British subjects in India and elsewhere are involved. I therefore wish to recall to Ismet Pasha the traditional respect of the Turks for objects possessing such sacred associations, and I should be glad to receive from him an assurance that the Turks, when they finally re-enter Constantinople, will restore to Medina the treasures which were taken away over five years ago."

ISMET PASHA reminded the delegates that the restoration of these objects had already been discussed at the sub-commission. He stated that the Turkish members of the sub-commission had taken part in the discussion although the subject was not within their competence. The objects in question were the lawful property of the Caliph. It was no business of the Turkish delegation, and still less of other delegations, to involve themselves in studying or examining questions which exclusively concerned the Caliphate—the sole judge capable of settling the use to be made of these objects. Ismet Pasha absolutely refused to discuss at the conference a religious question such as that regarding the tomb of the Prophet. He therefore stated that it was impossible for him to express any view on the subject. If the Turkish delegation had possessed the necessary powers to take effective part in this discussion, they would have settled it long since in the most rapid and satisfactory manner.

The relations existing between the Caliph and the Holy Cities of Mecca and Medina belonged rather to the religious sphere, and did not in any way concern foreign Governments. Ismet Pasha wished to state that the Moslem world was deeply troubled by the thought that the rights and prerogatives of the Caliphate could be a subject of political negotiation. It was for the very purpose of rendering any foreign intervention impossible that the Turkish delegation had felt bound to regulate the position of the Caliph in such a way as to render him immune from any attack.

Ismet Pasha was convinced that the explanations which he had seen fit to give, out of deference towards the Allied delegations, would suffice to account for the attitude of the Turkish representatives at the sub-commission and would contribute to the enlightenment of public opinion.

LORD CURZON said that all he had asked Ismet Pasha to do was to examine the matter in a friendly spirit. He could not say that his Excellency's argument was unreasonable, for he could not find any argument at all. If the Turks were competent to take away the objects in question, they were presumably equally competent to return them. Ismet Pasha's suggestion that these treasures were at the disposal of the Caliph had never been heard of before, and would be received with astonishment by the Moslem world. They had been the property of the donors until they were presented to the tomb, since when they had belonged to the tomb itself. It was an entirely new doctrine that they could be taken away by third parties on the plea that they were an appanage of the Caliph. Lord Curzon hoped that when Ismet Pasha returned to Turkey and forgot all the memories of Lausanne he would remember this matter, and would make himself as popular with the whole world of Islam as he now was with the soldiers of the Turkish army by making this concession.

MARQUIS GARRONI observed that the upshot of the statements made was that agreement had in substance been reached on the questions referred to the second commission. One point was left altogether in suspense—that of the judicial régime of foreigners in Turkey. He hoped that if this question were approached in a conciliatory spirit, it might also be solved to the satisfaction of all parties.

(*The commission rose at* 1·55 P.M.)

ANNEX (A).

Second Commission: Second Sub-Commission.

Report on the Revival or Denunciation of Certain Treaties and Conventions.—(*January* 25, 1923.)

THE Second Sub-Commission, whose duty it was to examine the question of multilateral and bilateral treaties which are to be revived between Turkey and the other contracting Powers, has brought its labours to a close by adopting two articles (articles 1 and 2 annexed) relative to the revival of the series of treaties by which Turkey was bound before the war, and to Turkey's undertaking to accept other international conventions of an economic character.

As regards the convention of the 7th June, 1905, relative to the creation of an international agricultural institute at Rome, the Turkish delegation, while expressing its readiness to agree to the revival of this convention as between Turkey and the other Powers concerned, made a reservation as regards the payment of the Turkish contributions for the period of the war during which Turkey did not enjoy effective participation.

The Turkish delegation reserved its acceptance of the Aerial Navigation Convention of the 13th October, 1919, as it had previously done in the Sub-Commission on Communications and Transport.

Article 3 elaborated by the sub-commission, in accordance with which the contracting Powers undertook to negotiate, within twelve months, the revival of the bilateral treaties, conventions and agreements which were concluded between them and which should be put into force again, was opposed by the Turkish delegation on the ground that the negotiations referred to in the article would take place freely at the instance of one party or the other, and that there was no need to incorporate any obligation of this nature in the treaty of peace. The other delegations were unanimously in favour of maintaining a provision which they consider to be a guarantee that normal relations between the contracting parties will be resumed as early as possible.

Article 4, which provides that no clause in the treaties, conventions or agreements concluded by Turkey with any Power whatever shall be invoked as against the present treaty, seemed to the Turkish delegation to be of a political rather than of an economic character and to refer to conventions which also are political rather than economic. The Turkish delegation argued that the sub-commission was incompetent to deal with this point.

In view, however, of the fact that the political commission appeared to have concluded its labours, and also of the economic character of the treaties and provisions which necessitate such a clause, the other delegations expressed the view that the commission was competent, and that the text should be maintained.

Second Sub-Commission of the Second Commission.

Additional Articles.—(*January* 25, 1923.)

ARTICLE (A).

FROM the coming into force of the present treaty and subject to the provisions thereof, the multilateral treaties, conventions and agreements of an economic or technical character enumerated below shall enter again into force between Turkey and those of the Allied Powers party thereto :—

1. Conventions of the 14th March, 1884, of the 1st December, 1886, and of the 23rd March, 1887, and final protocol of the 7th July, 1887, regarding the protection of submarine cables.
2. Conventions of the 5th July, 1890, regarding the publication of customs tariffs and the organisation of an international union for the publication of customs tariffs.
3. Arrangement of the 9th December, 1907, regarding the creation of the International Office of Public Hygiene at Paris.
4. Convention of the 7th June, 1905, regarding the creation of an International Agricultural Institute at Rome.
5. Convention of the 27th June, 1855, regarding the Turkish loan.
6. Convention of the 16th July, 1863, for the redemption of the toll dues on the Scheldt.
7. Convention of the 29th October, 1888, regarding the establishment of a definite arrangement guaranteeing the free use of the Suez Canal.

ARTICLE (B).

Turkey undertakes to adhere to the conventions or agreements enumerated below, or to ratify them :—

1. Convention of the 11th October, 1909, regarding the international circulation of motor cars.
2. Agreement of the 15th May, 1886, regarding the sealing of railway trucks subject to customs inspection, and protocol of the 18th May, 1907.
3. Convention of the 23rd September, 1910, respecting the unification of certain regulations regarding collisions and salvage at sea.
4. Convention of the 21st December, 1904, regarding exemption of hospital ships from dues and charges in ports.

5. Conventions of the 3rd November, 1881, and the 15th April, 1889, regarding precautionary measures against phylloxera.

6. Convention of the 26th September, 1906, signed at Berne, prohibiting the use of white phosphorus in the manufacture of matches.

7. Convention regarding liquor traffic in Africa, signed at Saint-Germain-en-Laye, the 10th September, 1919.

8. Convention revising the General Act of Berlin of the 26th February, 1885, and the General Act and Declaration of Brussels of the 2nd July, 1890, signed at Saint-Germain-en-Laye, the 10th September, 1919.

9. Convention of the 13th October, 1919, regulating aerial navigation.

Turkey further undertakes to take part in the elaboration of new international conventions relating to telegraphy and radio-telegraphy.

ARTICLE (C).

It will be for each of the Allied Powers to agree with Turkey in the twelve months following the entry into force of the present treaty, regarding the bilateral treaties, conventions and agreements concluded with Turkey which there may be occasion again to put into force.

ARTICLE (D).

No disposition of the treaties, conventions or agreements concluded by Turkey with any Power whatsoever may be held to run counter to the present treaty. In consequence, Turkey undertakes to denounce any disposition irreconcilable with the present treaty.

ANNEX (B).

Final Report presented by M. Montagna, President of the Sub-Commission on Nationalities and Antiquities in Turkey, to the President of the Second Commission, his Excellency Marquis Garroni.

Your Excellency, *Lausanne, January* 26, 1923.

I HAVE the honour to inform you that the Sub-Commission on Nationalities and Antiquities in Turkey, which has been styled the Third Sub-Commission of the Second Commission (Régime of Foreigners in Turkey), brought its labours to a successful conclusion yesterday. Although the subject was of great importance and covered considerable ground, the sub-commission held only four meetings, and complete agreement was reached among all concerned.

For details of the discussions I would refer your Excellency to the minutes which were drawn up by the secretariat of the conference, but I think it well to submit the following summary of the main points discussed and the final decisions taken.

The first sitting took place on the 13th December, 1922, and, in opening the discussion, I thought it expedient, in order to facilitate the accomplishment of our task as much as possible, and for other practical reasons, to submit a programme divided into two sections. The first, consisting of seven chapters, dealt with nationalities. The second related to the protection of antiquities.

I am glad to be able to state that during the very first meeting an agreement was reached in principle upon the first six chapters regarding nationality. The Turkish delegation made certain reservations, but withdrew them at the second meeting. Thus all the questions regarding the determination of the nationality of the inhabitants of territories detached from Turkey under the Treaty of Lausanne, the rights of option and the change of residence of these persons were permanently settled.

At the same time Turkey recognised the changes of nationality and the rights of option referred to in the different treaties of peace concluded between the Allies and the ex-enemy States.

The whole of the third meeting was devoted to the study of the question of Turkey's recognition of the naturalisation granted by the Allied Powers to Turkish subjects after the conclusion of the armistice.

The Allied delegations based their demand in particular upon the expediency of terminating such a large number of disputes and differences between the Allied consular authorities and the Turkish authorities. The delegations did not fail to urge the advantages which would have been gained by removing these differences by a temporary measure regulating the legal position of these individuals.

The Turkish delegation, while ready to discuss the question at length, maintained its objection that naturalisation in these cases had been acquired in violation of the law and that in consequence it could not derogate from the laws which had been in force in Turkey all the time.

The Allied delegations, and in particular the Italian delegation, which was more interested in the question than the others, in their anxiety for a general agreement, showed a very generous and conciliatory spirit, and withdrew their proposal. They had in any case the assurance that, under the terms of the amnesty which will be granted in accordance with the Treaty of Peace, the individuals in question will in no way be molested for having violated the Turkish nationality law.

At its fourth and last sitting, the sub-commission discussed the juridical status of persons belonging to territories detached from Turkey under the Treaty of Peace, but residing outside these territories. It decided that these persons should be considered Turkish subjects, but it stipulated that they should have the right of opting within one year in favour of the country to which the territories had been attached.

As a proof of the perfect agreement reached upon all points mentioned above, I have the honour to transmit to your Excellency, in the form in which they will appear in the treaty, the attached text of the seven articles already prepared by the drafting committees.

As regards archæological excavations and the protection of antiquities in Turkey, in which the whole scientific world is so greatly interested, the Allied delegations were content, after full discussion, with a statement of the Turkish delegation pointing out that existing Turkish legislation is such as to assure the protection of artistic treasures in Turkey, and that it contains very liberal provisions regarding archæological excavations.

The Turkish delegation added that the Turkish Government is ready to apply the regulations in a very generous manner, and to favour all kinds of initiative in this matter.

As will appear from this brief summary, it is thanks in a large measure to the extreme moderation of certain of the parties concerned that so complete an agreement has been reached in the course of very limited discussions. I must, however, bear witness to the active and conciliatory manner in which all the delegations have collaborated. Furthermore, I wish once more to express my grateful thanks to the representatives of the inviting Powers on the sub-commission for the valuable and effective assistance by which they contributed to ensure the success of our labours.

MONTAGNA.

Draft Clauses regarding Nationality.—(January 26, 1923.)

ARTICLE 1.

TURKISH subjects habitually resident in territory which in accordance with the provisions of the present treaty is detached from Turkey will become *ipso facto*, in the conditions laid down by the local law, nationals of the State to which such territory is transferred.

ARTICLE 2.

Persons over 18 years of age, losing their Turkish nationality and obtaining *ipso facto* a new nationality under article 1 shall be entitled within a period of two years from the coming into force of the present treaty to opt for Turkish nationality.

ARTICLE 3.

Persons over 18 years of age, habitually resident in territory detached from Turkey, in accordance with the present treaty, and differing in race from the majority of the population of such territory shall within one year from the coming into force of the present treaty be entitled to opt for the nationality of one of the States in which the majority of the population is of the same race as the person exercising the right to opt and subject to the consent of that State.

ARTICLE 4.

Persons who have exercised the right to opt in accordance with the provisions of articles 2 and 3 must within the succeeding twelve months transfer their place of residence to the State for which they have opted.

They will be entitled to retain their immovable property in the territory of the other State where they had their place of residence before exercising their right to opt.

They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

ARTICLE 5.

Subject to any agreements which it may be necessary to conclude between the Governments exercising authority in the countries detached from Turkey and the Governments of the countries where the persons concerned are resident, Turkish nationals of over 18 years of age who are natives of a territory detached from Turkey under the present treaty, and who on its coming into force are habitually resident abroad, may opt for the nationality of the territory of which they are natives if they belong by race to the majority of the population of that territory and subject to the consent of the Government exercising authority therein. This right of option must be exercised within one year from the coming into force of the present treaty.

ARTICLE 6.

The high contracting parties undertake to put no hindrance in the way of the exercise of the right which the persons concerned have under the present treaty, or under the Treaties of Peace concluded with Germany, Austria, Bulgaria or Hungary, or under any treaty concluded by the Allied Powers, or any of them, with Russia, or between any of the Allied Powers themselves, to choose any other nationality which may be open to them.

ARTICLE 7.

For the purposes of the provisions of this section, the status of a married woman will be governed by that of her husband, and the status of children under 18 years of age by that of their parents.

No. 33.

COMMISSION ON THE RÉGIME OF FOREIGNERS.

Minutes of the Fifth Meeting, January 31, 1923, *at* 10·30 A.M., *under the presidency of Marquis Garroni.*

SEE minutes of Twenty-fourth Meeting of First Commission (on Territorial and Military questions), No. 27, p. 426.

PART III.

Meetings of the Third Commission.

No. 34.

ECONOMIC AND FINANCIAL COMMISSION.

Minutes of the First Meeting, November 27, 1922, at 4 P.M., *under the presidency of M. Barrère.*

Present :

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Hassan Bey.
Riza Nour Bey.

Also present :

BRITISH EMPIRE.

Sir William Tyrrell.
Sir Adam Block.
Mr. Fountain.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Mr. Waley.

FRANCE.

M. Bargeton.
M. Barois.
M. des Closières.
M. de Lacroix.
M. de Percin.
M. Sanguinetti.

ITALY.

M. Arlotta.
M. Guariglia.

UNITED STATES OF AMERICA.

Mr. Amory.
Mr. Dwight.
Mr. Heck.

JAPAN.

Mr. Sato.
Mr. Tani.

GREECE.

General Mazarakis.
M. Dendramis.
Mr. Theotokas.
M. Michalopoulos.

ROUMANIA.

Colonel Dumitresco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Christitch.
M. Antitch.

TURKEY.

Hamid Bey.
Zekai Bey.
Shefik Bey.
Mukhtar Bey.
Tahir Bey.
Zuhdi Bey.
Munir Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Indelli.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

ROUMANIA.

M. Constantinesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

M. BARRÈRE, in opening the proceedings, said he felt sure that the co-operation of all the delegations was necessary in order to bring to a successful conclusion the very important work with which the commission had to deal. The commission would have to take into account the interests of all countries represented. those of Turkey equally with those of other States. He wished. in particular, to assure the Turkish delegation that the commission would constantly be animated with feelings of justice and equity in the discussions which were about to begin. The first thing to do was to organise the commission's work. The commission would have to deal with many delicate technical problems. The best course seemed to be to distribute the work among a series of sub-commissions; but there were some general financial questions—the Ottoman Public Debt and its distribution, repayment of military occupation expenses and reparation for damage—of such great importance that it appeared preferable to reserve them, provisionally at any rate, for discussion by the full commission.

He proposed to set up the three following sub-commissions at once:—

Sub-commission on communications and transport (Second Sub-Commission): To deal with ports, railways, transit, posts and telegraphs, commercial aviation, submarine cables and water power.

Sub-Commission on the customs and commercial régime (Third Sub-Commission): Customs tariffs, regulations for ships; industrial, literary and artistic property; trademarks.

Sub-commission on economic questions (Fourth Sub-Commission):

(*a.*) Problems relating to the period of war and occupation: Restoration of property sequestrated by Turkey; settlement of debts and contracts between private persons, and also between private persons and the Turkish State, during the said period; liquidation of German, Austrian, Hungarian and Bulgarian property in Turkey (articles 155 and 260 of the Treaty of Versailles, and corresponding articles in the other treaties of peace); liquidation of Turkish property in Allied countries.

(*b.*) Questions relating to the period subsequent to the Treaty of Peace: Concessions and adjudications.

A further sub-commission to deal with sanitary questions would be set up later.

Each delegation would be represented by two delegates on each of these sub-commissions, and the delegates could be assisted by such experts as they considered necessary.

He invited the delegations to examine this scheme.

Ismet Pasha said that as the questions with which the commission would have to deal were not yet precisely defined, he would be willing to make known the views of the Government of the Grand National Assembly of Turkey, whenever some definite subject came up for discussion by the commission. He wished, however, to set forth at once, and as concisely as possible, certain general considerations.

The Turkish delegation thought that the chief questions to be dealt with by the commission would be:—

1. The distribution of the debt of the former Ottoman Empire among the countries in whose favour parts of that Empire had been detached. It went without saying that in all calculations account would be kept of such

share of debt as was incumbent on countries detached from the Empire at various dates, but had not yet been assumed by them; in this way a general liquidation of these debts could be effected.

2. Reparation for all damage and devastation caused by the Greeks.

The Government of the Grand National Assembly of Turkey recognised its due share in the debt of the former Ottoman Empire. On the other hand, it claimed reparation for damage of every kind done by the Greeks, who had reduced the provinces occupied by them to a mass of ruins.

The economic and financial development of Turkey depended on its full and complete independence. That was the essential condition of Turkey's existence. Like every independent nation, the Turkish nation must be released from all restrictions which interfered with its full economic liberty. The Government of the Grand National Assembly of Turkey took the opportunity of declaring that in its international economic relations, and in the conventions and treaties which it would have to conclude in order to regulate those regulations, it would conform its conduct to the requirements of its sovereignty and independence. That principle was one of the factors in the development of every nation, and would also serve as the basis for Turkey's national economy.

Like all other independent States, Turkey fervently desired to maintain economic relations with other countries on the basis of reciprocity and international law. Durable economic relations could only be established between Turkey and other countries in so far as those relations were governed by the principles of modern law. The Turkish delegation hoped that this legitimate demand would not meet with any opposition.

The questions indicated above could be divided into two groups, and it would be well to set up two sub-commissions to examine them. One would deal with juridico-economic questions, and the other, or others, with financial questions.

Ismet Pasha proposed that the sub-commission to deal with juridico-economic questions should meet first.

M. Barrère took note of Ismet Pasha's observations, and said that the plan of work which he had proposed was adopted. He thought it desirable to set up the sub-commissions at once. In order that all members of the delegations might participate in the work of all the sub-commissions, he thought that the latter should not sit simultaneously. As regards two of the sub-commissions—those on the customs régime and on economic questions—the discussion of the questions allotted to them could begin forthwith, and they should be set up without delay.

M. Veniselos reserved the right to state the views of the Greek Government on each occasion when a question was brought up before the commission or the sub-commissions.

M. Barrère invited general discussion on the questions enumerated by him at the beginning of the meeting, which were not to be referred immediately to sub-commissions.

Lord Curzon wished to say a few words on the procedure suggested. The president had divided up the subjects within the scope of the commission into five heads, and had proposed that the greater part of them should be dealt with by sub-commissions. With this he (Lord Curzon) was in agreement, and thought it the most businesslike way of proceeding. The president had proposed that two of the sub-commissions should be set up at once and begin their sittings with the least possible delay; and had also made a very wise and necessary reservation in regard to the subjects under the first heading. He had begun by inviting observations of a general character; to this Ismet Pasha had responded with a brief declaration of his point of view, which was entirely appropriate to the occasion and delivered with his customary lucidity and conciseness.

The subjects under the first heading, which the president proposed to reserve for discussion in the full commission in the first instance, were obviously questions of capital importance, namely, those of the Ottoman Public Debt, expenses of military occupation and reparation of damage. As he would not be able to join in the discussions of the sub-commissions, he would very much like to hear in the full commission statements of the views held by the various parties, and particularly by the Turkish delegation. The president had invited immediate discussion on the subjects in the first heading, but, as his draft scheme had only just been circulated, it seemed doubtful whether the delegates could be ready to speak at once. In any case, whether the discussion took place forthwith or on the next day, he (Lord Curzon) begged the delegations, and especially the Turkish delegation, to give their views on the questions under the first heading to the full commission. Ismet Pasha had alluded to the fact that Turkey had great claims which he proposed to put forward, and the newspapers had published figures of the claims which the Turkish delegation proposed to make, mainly against Greece. There would also be claims to be made on behalf of the Allies. These matters ought to be discussed before the main commission. The details might have to be examined by sub-commissions, whether on the economic or juridical side, but he hoped to hear himself from the Turkish delegation a formal statement with details and figures of the case which they proposed to present under heading No. 1, and he also hoped that the president would in full commission invite the opinion of the other delegations on the matters contained under this heading. Then, if further examination were required after discussion in the full commission, these questions could be referred to sub-commissions.

As none of the delegations were in a position to state their views immediately,

M. **Barrère** proposed to postpone the continuation of the discussion until the following day. (Approved.) It was understood that the commission reserved to itself the general discussion on financial questions, the necessity of which had been pointed out by Lord Curzon.

Ismet Pasha replied that as he had not had previous notice of the proposed dividing up of economic and financial subjects, which included the questions of public debt and reparations, he had only been able to state his views on these two points in summary fashion. He therefore reserved the right to approach these questions again as a whole, and to set forth the general view of the Turkish delegation in regard to them.

(*The commission rose at* 4·45 P.M.)

No. 35.

ECONOMIC AND FINANCIAL COMMISSION.

Minutes of the Second Meeting, November 28, 1922, at 4 P.M., *under the presidency of M. Barrère.*

Present :

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir Horace Rumbold.

FRANCE.

M. Barrère.
M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Duca.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Nintchitch.
M. Rakitch.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present :

British Empire.

Sir William Tyrrell.
Sir Adam Block.
Mr. Fountain.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Mr. Waley.

France.

M. de Lacroix.
M. Bargeton.
M. des Closières.
M. de Percin.
M. Barois.
M. Sanguinetti.

Italy.

M. Guariglia.
M. Nogara.
M. Arlotta.

United States of America.

Mr. Amory.
Mr. Heck.
Mr. Gillespie.

Japan.

Mr. Sato.
Colonel Saigo.
Mr. Tani.

Greece.

M. Dendramis.
M. Theotokas.
M. Politis.

Roumania.

Colonel Dumitrescu.

Kingdom of the Serbs, Croats and Slovenes.

M. Christitch.
M. Antitch.

Turkey.

Hamid Bey.
Zekiai Bey.
Shefik Bey.
Mukhtar Bey.
Sherif Bey.
Tahir Bey.
Munir Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.

Mr. Spring Rice.
Mr. Bentinck.

France.

M. Lagarde.

Italy.

M. Indelli.

United States of America.

Mr. Belin.

Japan.

Mr. Hotta.

Greece.

M. Collas.

Roumania.

M. Constantinesco.

Kingdom of the Serbs, Croats and Slovenes.

M. Milanovitch.

Turkey.

Rechid Savfet Bey.

Interpreter : M. Camerlynck.

M. **Barrère** believed that Ismet Pasha wished to amplify his previous statement of the views of his Government on the financial questions with which the commission was to deal, and invited him to speak.

Ismet Pasha said that one of the questions classified among financial problems by the Third Commission was the distribution of the Ottoman Debt. As the Ottoman Empire had ceased to exist, it was natural that these debts should be distributed among all the countries to whom territory formerly belonging to that Empire had been assigned. In accordance with the same principle of justice the Government of the Grand National Assembly of Turkey, being a Government constituted on the territory of the former Empire within the limits of its national frontiers, was ready to accept liability for its due share of the debt and was anxious to see the amount of that share fixed as soon as possible. In that connection it must be noted that there were some States which, although they had in the past annexed territory formerly included in the Ottoman Empire, had not yet accepted liability for their portion of the debt; it was therefore necessary to assign their due share to them. Thus the task before the commission was to undertake a general liquidation of the debt of the former Ottoman Empire.

The Government of the Grand National Assembly of Turkey accepted liability for part portion of the debt which would fall to its share on the basis which he had just defined. It also considered that it was no longer concerned in any way with the amount of the debt to be assigned either to the States formed out of the Ottoman Empire in consequence of the great war, or to those which had previously acquired Turkish territory.

As the method to be adopted for the distribution of the debt was a technical question, he thought it could with advantage be examined by a special sub-commission of experts.

As regards the repayment of expenses incurred for military occupation, which was included in the programme of the commission, the Turkish delegation thought it necessary to make the following remarks :—

They knew nothing of the reasons which led to the inclusion of this item, and could not refrain from expressing their surprise at its inclusion. However, as the question had been raised, they felt bound to express their opinion.

As would be remembered, an armistice putting a stop to hostilities between the former Ottoman Empire and the Allied Powers was concluded at Mudros; but the peace proposals which the Turkish nation expected to follow this armistice were not made to it; on the contrary coercive measures began, such as the occupation of Adana and Constantinople.

The Turkish delegation considered that these occupations did not take place in virtue of the terms of the armistice, but were undertaken as coercive measures with the object of compelling the Ottoman Empire to accept and carry out the conditions which the Allied Powers intended to impose upon it.

There was therefore no reason why Turkey should be made to bear the expenses arising out of a military occupation which the Allies decided to execute with a view to imposing their will.

On the contrary, it was the Turkish State which suffered damage in consequence and had a legitimate right to ask for reparation; for these occupations had inflicted on the Turkish State and nation all manner of loss and suffering, both material and moral.

Consequently, it was just and fair that far from demanding of Turkey reimbursement of the costs of military occupation, reparation should be made for the damage inflicted on her by these occupations.

The fact that there was no juridical basis for this demand led the Turkish delegation to hope that the Lausanne Conference, which had met to lay the foundations of a just peace, would not insist on so inequitable a claim.

In regard to reparation for damage, the Turkish delegation had the honour to submit for the impartial consideration of the commission the following general observations:—

In accordance with the principles of law and equity, they considered that civilians who had suffered direct damage from acts and operations of war and from acts contrary to international law should be indemnified reciprocally.

Thus if civilian nationals of the *Entente* Powers had suffered bodily harm or damage to their property through acts or operations of war (such as attacks, bombardments, &c.), executed by the armies of the former Ottoman Empire, they would be indemnified by the successors of the said Empire, and the Turkish Government would be bound to contribute a fair share towards that indemnity.

The *Entente* Powers, being inspired with the same sentiments of justice, would in like manner indemnify Turkish civilians placed in the same position within the territory of the former Ottoman Empire or elsewhere.

Damage to civilians of both sides arising directly from acts contrary to international law, and damage to property belonging to the contracting States or their nationals which had been confiscated, seized or deteriorated directly and in any place, would be settled on the same principle.

Full indemnity must be given for the devastation and destruction perpetrated by the Greek army in Asia Minor from the occupation of Smyrna (*i.e.*, after the regular suspension of hostilities by the Mudros Convention) up to the final defeat of the Greek army. Documents from absolutely neutral sources and evidence of indisputable value proved the formidable extent of the destruction done. Ismet Pasha had questioned the offenders himself. Among all—from the highest officers down to men in the ranks, from priests down to private individuals—he had found the same premeditation and persistent will to destroy systematically everything Turkish. The heartrending spectacle of those vast devastated areas rendered any other evidence unnecessary. This devastation demanded imperatively the reparation of all damage.

As the present discussion was limited to general observations, he proposed to refer the matter to the sub-commission, which would be instructed to furnish a detailed report to the commission.

M. Veniselos wished first to find out what foundation there was for the theory whereby a State ceding part of its territory should be relieved of part of its national debt.

The basis of that theory was that the annexing State deprived the conquered State of part of its resources, and the creditors of the conquered State of part of their guarantees.

It was therefore desirable to see, firstly, whether it could truly be said that the Balkan States had deprived the Ottoman Empire of part of its resources; secondly, whether the creditors of Turkey had suffered any loss on account of the cession of Turkish territory to the Balkan States; and, thirdly, whether the provinces occupied had shared in the advantages procured for Turkey by the various loans which she had contracted.

The two railway lines in the occupied provinces (the Salonica–Monastir and Salonica–Dedeagatch junction lines) had been constructed by companies, to which the Ottoman Government only assured the payment of a kilometric guarantee by means of earmarking some of the revenues of the district crossed by the railway. The works executed in the port of Salonica were likewise due to a private enterprise. The religious, educational and benevolent establishments had been founded and endowed by the communities to which they belonged, the chief of them by the generosity of patriotic persons who had made money abroad.

It was well known that, with the exception of two or three loans contracted with a view to the execution of public works in Asia Minor, such as the Bagdad and Soma–Panderma railways, all the loans of the Ottoman State had been floated under pressure of financial embarrassment and had been neither useful nor productive. The loans of the Ottoman Empire were designed to meet the budgetary deficit created by troubles which had to be suppressed, insurrections, wars or actual destruction; they had never afforded the smallest advantage to any of the occupied provinces; none of them had been used for works of economic utility to those provinces, nor for the encouragement of science, letters or arts.

It was universally admitted that the revenue raised by the Ottoman Government in the Vilayets of Salonica, Kossovo and Monastir was never sufficient to cover the expenses of administration in those provinces.

In 1907 it was estimated that 85,000,000 piastres, or £T. 850,000, was the minimum yearly contribution required by the Sublime Porte to meet the expenses of the three provinces. According to a statement in the German "Red Book" the estimated expenses for the three vilayets for the financial year the 1st March, 1907, to the end of February 1908, excluding extraordinary expenses, amounted to 277,944,648 piastres (Salonica, 113,441,757; Kossovo, 91,169,942; Monastir, 73,332,949); estimated receipts to meet these expenses amounted to 191,121,818 piastres (Salonica, 80,321,750;

Kossovo, 58,451,696; Monastir, 52,348,372). For the financial year 1907–8 there was thus a deficit of 86,822,830 piastres; for 1906–7, 82,255,636 piastres; and for 1905–6, 90,479,740 piastres. The Financial Commission estimated that the amount to be withdrawn by the Porte from the revenues of other parts of the Empire in order to cover the deficit for 1907–8 amounted to at least £T. 850,000.

It was not possible to wipe out that deficit by the yield of the customs surtax of 3 per cent. levied on foreign imports in 1907. The accounts of the Imperial Ottoman Bank, which had the management of the revenues from the three vilayets, showed that for the financial year 1909–10 Turkey had paid into the account of expenses for those provinces the sum of 60,575,905 piastres, despite the earmarking of the general yield of the customs surtax to those expenses. If one added to this sum the 25,000,000 piastres yielded by the customs surtax, which was levied in other parts of the Empire outside Macedonia, the sum paid by the Ottoman Government for the administrative expenses of the three provinces during the financial year 1909–10 amounted to 85,000,000 piastres, *i.e.*, £T. 850,000.

It was essential to note that this sum exceeded the annual yield of the revenues raised in those provinces or administered by the Administration of the Public Debt for the service of the various loans governed by the Decree of Mouharrem. This meant that the three provinces in question in no way contributed to the service of the general debt of the Empire. Their share of the debt was really borne by the Asiatic provinces, part of whose revenue was used each year to meet the deficit caused by the earmarking of certain Macedonian revenues for the service of various loans.

To sum up, the Ottoman Empire suffered no diminution of its resources by the loss of the European provinces.

There was another argument against the Turkish demand for the attribution of public debt to the annexing State, namely, that the provinces which Turkey had lost, notably Macedonia, had always been a hotbed of insurrection, and involved Turkey in military expenditure wholly out of proportion to the revenues derived from those provinces.

It was hardly necessary to say that the creditors of the Ottoman Empire could not have suffered any real loss through the cession of Turkey's European provinces. The lien on the revenue which served as a guarantee for their credits was a reality as regards the creditors, but entirely fictitious as regards the Ottoman Government. The latter was obliged to take every year out of the revenue of other parts of the Empire a sum far larger than the annual yield of the revenues under lien and earmarked for the public debt, and to utilise that sum for meeting administrative expenses in its European provinces. As a substitute for this transfer of revenues, which, in fact, was purely nominal, the Ottoman Government could easily give its creditors a new guarantee, based on the revenues of the provinces which Turkey retained.

None of the equitable grounds on which the theory of distribution of debts was based could be invoked in the special case of the cession of Turkey's European provinces. As there had been no diminution in the resources of the ceding State, no harm had been done to its creditors. Moreover, the detached provinces had derived no profit from the loans contracted by the Ottoman Empire.

It was true that at the time of drafting the Treaty of Sèvres, which had now lapsed, Greece had undertaken to assume part of the Ottoman Public Debt; but she had been able to do so on account of the considerable advantages accorded to her by that treaty. The Serb-Croat-Slovene Government, which had acquired no Turkish territory by the war, had refused to sign the Treaty of Sèvres because that treaty provided for part of the debt being imposed upon it. Now the situation had entirely changed, for the advantages given to Greece by the Treaty of Sèvres had disappeared and only part of Western Thrace remained to her.

Passing to the question of the reparation now demanded by the Turkish delegation for the damage done by the Greek army in Asia Minor, M. Veniselos said that the basis on which the Allies had founded their recognition of the right to such reparations was a moral basis, *i.e.*, the responsibility of each State for the war. Now in the present case it was the Ottoman Empire, the predecessor of the Government of Angora, which was responsible for the war. It was Turkey who started the war; Greece only came into the war in order to fulfil her obligations of alliance with the former Kingdom of Serbia, which had been attacked by those with whom Turkey had made common cause. When Greece came into the war she formed nine divisions, and thus gave the Allies a numerical superiority on the Macedonian front. She thus contributed to the breaking of the enemy's front, and later to the success of the offensive in Macedonia, thus possibly shortening the war by six months, which was as much in the interests of the conquered as of the conquerors.

As regards the damage done, M. Veniselos stated firstly that, during the first two years of occupation of Asia Minor, when the Greek army had been uniformly successful, there had been no destruction at all. The burning of villages between the Valley of Sakharia and the railway line, Afiun–Karahissar–Eskisheir, at the time of the first Greek retreat, had been necessitated by purely military exigencies. The Greek army wished to destroy those places on its line of retreat which could afford shelter to the Turkish army, and therefore constituted an obvious danger for the Greek army. As regards the damage done during the last retreat, preceding the evacuation of Asia Minor by the Greek army, he had no official information. In any case these excesses had been committed by a retreating army on its course, and were nothing extraordinary, even in the case of very well disciplined armies It must also be remembered that the retreating army was attacked by Turkish irregulars scattered about in the Turkish villages through which the Greek army passed. One really could not compare the excesses committed under such conditions with the devastation done by the German army in the north of France and in Belgium. These devastations had been perpetrated at a time when the German army was victorious. When Germany felt that she was going to lose the war, and that the German army would have to evacuate the territory occupied by it, all excesses were avoided; that proved the systematic and premeditated character of these devastations.

The Greek army, while in occupation of Turkish territory, committed no excesses; they took place during the retreat when discipline was relaxed. It must be added that excesses were never committed outside the military zone, and none were reported as taking place under the Greek administration which, on the contrary, always favoured the Turkish element in doubtful cases rather than the Greek. He was convinced—at least he hoped—that the conference could only regard the question in this way. He even hoped that the Turkish delegation would not insist on their demand

Even supposing it were admitted that Greece was responsible for the war, and was consequently bound to repair the damage committed under the conditions just indicated, there existed other considerations which would practically exonerate Greece from any reparation at all, and would also give her the right to present counter-claims, the total of which would far surpass the amount of reparation claimed by the Turks.

It was recognised that the Greek army disembarked at Smyrna, not on its own initiative, but upon an invitation from the Allies—not in the special interest of Greece, but in that of all the Allies. He referred to his correspondence with M. Clemenceau, who had written to him that the military occupation of Smyrna did not signify the cession of that territory to Greece; that proved that Greece had landed at Smyrna and undertaken the military operations in Asia Minor, not on her own account, but in the common interest of the Allies. It was only on the 21st June, 1921, that the Powers informed the Greek Government that if it did not accept their intervention, they could not persevere in a sterile enterprise and Greece would have to continue the struggle at her own risk. But even before that time, even if one did not go farther back than the beginning of 1921, the expenses of the Greek occupation were much larger than the value of the damage done in Asia Minor.

Greece had yet another counter-claim against Turkey, which would also much exceed the latter's claim for reparation. Turkey, during the months just before and after her coming into the great war, had expelled from the coasts of Asia Minor and of Thrace 430,000 Greeks, who had had to take refuge on Greek soil without being able to carry off any of their movable property. Greece had had to provide for the maintenance of these people from May 1914 until the middle of 1920, when it was possible to have them repatriated to their old homes on the territory which had been assigned to Greece by the treaty, either as annexed territory, or as territory in military occupation. The expenses occasioned by the maintenance and assistance given to these refugees, by their transport to Greece, and subsequent repatriation to Asia Minor and Thrace, together with the expense incurred by the Greek Government in giving them a little pittance with which to make a fresh start in life after repatriation, greatly exceeded the damage done by the Greek army in the zone of military operations.

Greece was confronted with another formidable problem—the arrival of refugees in masses in consequence of recent events. A fortnight ago 905,000 such refugees had passed through the official refugee service, and to that number must be added about 40,000 more who, being rather better off, had come to Greece without the assistance of the refugee service. If one took account of all that Greece had to spend both in the past and the present on housing and feeding these masses of old and new refugees, none of whom except those from Eastern Thrace had been allowed to carry off anything with them, one arrived at a figure much higher than that of the Turkish claim.

For all these reasons he asked the conference to reject the Turkish demand concerning reparation. It had no moral foundation, since not Greece but Turkey was responsible for the war. Besides, even if the claim were examined, Greece's counter-claims (which he had just explained briefly) should be examined too. Each of these counter-claims exceeded the total amount of damages several times over. But Greece understood quite well that no useful purpose would be served by pressing for an examination of these claims and counter-claims. By article 231 of the Treaty of Sèvres Turkey recognised "that by joining in the war of aggression which Germany and Austria-Hungary waged against the Allied Powers she had caused to the latter losses and sacrifices of all kinds, for which she ought to make complete reparation"; but the Allied Powers recognised, on the other hand, "that the resources of Turkey are not sufficient to enable her to make complete reparation," and in these conditions they gave up those claims. Again, by article 238 of the same treaty the Allies agreed not to require from Turkey any payment in respect of claims transferred to them by Germany, Austria, Bulgaria and Hungary. If in August 1920 Turkey was considered incapable of paying these reparations, she would be even more so now. But supposing, on the other hand, that the examination of these claims and counter-claims resulted in a net credit in favour of Turkey against Greece, it was evident that the present economic and financial situation in Greece was incomparably worse than that of Turkey in 1920. It should not be forgotten that Greece had undertaken a general mobilisation in September 1915, and that she had been at war since September 1916. Her resources were exhausted, and now she was confronted with the terrible problem of having to house, feed and eventually settle a million refugees. Consequently, it was impossible for her to contemplate the payment of indemnities.

M. Nintchitch said that the Serb-Croat-Slovene State had no direct interest in the question of reparations; it could only be interested in the question of the Ottoman Public Debt. This question had been examined for a long time past; first, by the Conference of London, and later by the Inter-Allied Financial Conference at Paris, where a very detailed investigation had been made. The Serb-Croat-Slovene State had no wish to evade its obligations; but it was evident that the solution of the problem would require very considerable work which might greatly prolong the negotiations and so delay the conclusion of peace, which was so urgently required. He therefore thought that it would be preferable to set up a special financial commission to examine the subject; it should be understood that the conclusions reached by that commission would later on be annexed to the Treaty of Peace.

Lord Curzon recalled the fact that the question of the Ottoman Public Debt had been very carefully studied at the time of drawing up the Treaty of Sèvres, and precise clauses had been drafted. He did not think M. Nintchitch need have any anxiety as regards prolonged enquiry being required; the sub-commission would find that a large portion of its labours had been accomplished in 1920.

M. Nintchitch did not object to the immediate discussion of the question, but he wished to point out that at the time when the Treaty of Sèvres was concluded there was no free discussion with the States concerned. It was precisely because of the economic and financial clauses inserted in that treaty that the Serb-Croat-Slovene State had refused to sign it. The discussion of the question would therefore take a very long time.

Ismet Pasha maintained that the principle of the distribution of the debt among the States which had benefited by cessions of territory had been formally approved by the treaties and agreements concluded up to the present time. He definitely refused to allow that principle to be called in question again. This distribution had constantly been delayed, and could not be indefinitely postponed. Turkey could not bear the burden of the total debt, and it was most desirable that the methods of distributing it should be settled concurrently with the other work of the conference.

In reply to M. Veniselos's arguments, Ismet Pasha said that once more he was obliged to call attention to the inexactitude of M. Veniselos's point of view as regards the responsibility for the war. In order to determine that responsibility, one must draw a distinction between two entirely different phases. First, there was the responsibility for the prolongation of the war, and, secondly, that of having let slip opportunities of concluding peace. Greece's responsibility had become undeniable, particularly from the date when the Powers informed her that they disassociated themselves from her aggression; it became still more grave as the result of the Greek devastations, in perpetrating which Greece could not have received encouragement from the Powers. He did not think that anyone could have invited Greece to commit these acts of destruction, and he felt sure that the Powers had tried to prevent them. These acts of vandalism had taken place in defiance of the wishes of the *Entente* and despite the advice offered by the Powers. There had been a war of considerable extent and intensity, the consequences of which should logically be borne by the iniquitous aggressor. Damage done by shells and other military means were acts of war; but even this damage implied a responsibility for the unjust aggressor, who had lost the war.

He noted once more M. Veniselos's admissions on the subiect of the acts of devastation committed by the Greek army on its line of retreat. It was easy to realise that this retreat had not been effected over a single line or along a single road. As he had already had occasion to explain, the Greek army retired on a front several hundred kilometres long, and had used not only one, but all, the roads leading from the interior to the coast. As it was admitted that the villages situated on the lines of retreat had been sacked, burnt and razed to the ground, and as these lines formed a sort of network covering Asia Minor, the enormous extent of the devastation and its systematic character would be realised.

M. Veniselos had tried to draw a contrast between these acts of destruction and those carried out by the Germans in the north-east of France. Ismet Pasha said he could assure M. Veniselos that the Greek devastations were entirely different from the German, because the former were much more drastic and widespread. He was ready to quote in this connection the evidence of French travellers, who had been horrified by what they saw in Anatolia. Under certain circumstances armies might lose their discipline, but even then wanton destruction could not be justified. Moreover, the devastation done by the Greeks could not be put down simply to lack of discipline. The Greek army abandoned its war material and everything except the materials for destruction. The devastation was carried out according to plan, with a systematic organisation. During the retreat generals and officers detailed special parties to carry out the work of demolition, and never left a village or a town before making sure that every building had been burnt. He himself had questioned officers of high rank on this subject. They answered that they had done all in their power to restrain the evil. They told him that there were among their troops vagabonds whom it was difficult to keep in order. Ismet Pasha had also interrogated Greek private soldiers, who asserted that they were acting on the orders of their officers and under a special discipline. M. Veniselos alleged that this destruction was due to military exigencies. Could it be maintained that all these acts had helped, however little, to delay the pursuit? Ismet Pasha repeated that these devastations and burnings had been organised and carried out according to a prearranged and methodical plan, in order to wipe out every sign of life in the evacuated districts. One might indulge in a whim to destroy, but if one lost the game restitution must be made. These dreadful events must at least serve as a lesson to future generations, and it must be known in future that no army can with impunity indulge in such systematic rapine for the mere pleasure of destruction. War, in so far as it was the defence of one's national heritage, was something sacred; it did not in any way imply the right to perpetrate gratuitous devastation. The reparations claimed by the Turkish people, to which they had every right, would contribute to the future security of all peoples. Even war had its humane laws, and these could not be transgressed without suffering in consequence.

Ismet Pasha proceeded to examine the question of refugees, which had been raised afresh by M. Veniselos. He thought that this problem had been settled in principle between the two Governments before the Great War, and that it was not related to the subject under discussion. He pitied the unfortunate people who, having been driven by the aggressor to take part in the fighting, had naturally had to follow the invading army in its retreat. The responsibility for this could only fall on Greece. If he might be pardoned for using such an expression, he perceived a sort of manœuvre in M. Veniselos's argument when the latter sought to justify the conduct of his Government by appealing to an invitation to Greece from the Powers to undertake the campaign in Asia Minor. That explanation, if it could be so described, in no way weakened the argument of the Turkish delegation. Ismet Pasha knew for a fact that the Allies had constantly advised Greece not to perpetrate any destruction.

He asked the conference to accept the principle that reparation should be made for the destruction wrought in the districts previously occupied by the Greeks.

M. VENISELOS replied that in examining the question of responsibility for the war one could not attribute the original initiative in aggression to one side, and then transfer the responsibility to the other side because the latter had not felt able to accept offers of mediation made to it by third parties during the war. Responsibility for the war could only lie with the original aggressor, *i.e.*, the party which provoked the war, not the party which had been attacked.

He had already exposed the inaccuracy of the statement that the immigration question had been settled between the Greek and Turkish Governments. It was true that in 1914, after the forcible expulsions effected by Turkey, he had accepted the principle of an exchange of populations, but only on condition that all forcible expulsions of Greeks should cease, and that the exchange should only affect those persons who had already left their homes, and those on both sides who in future might want to emigrate of their own free will. But no definite agreement had been reached on that subject, and the forcible expulsion of Greeks had been continued on a much larger scale.

M. BARRÈRE took note of M. Nintchitch's statement in regard to the responsibility of the Serb-Croat-Slovene State in the repartition of the Ottoman Public Debt. Since the Turkish, Greek and Serb-Croat-Slovene delegations had indicated their views on the subjects under discussion, he wished to make certain observations, particularly concerning the statements of Ismet Pasha.

The Allies could not consent to any discussion regarding the maintenance of the Ottoman Public Debt with all its attributions and guarantees. The debt was an institution whose status had been defined by the Decree of Mouharrem, and officially notified to the Powers. That status was thus placed under their guarantee. It also constituted a safeguard for the private interests to which revenues had been ceded, together with powers of management.

It must be noted that the arrangement instituted by the Decree of Mouharrem was a real concordat whereby Turkey's creditors accepted forty years ago a writing down by at least two-thirds of what was owing to them, the counterpart of that reduction being the granting of pledges which could not be taken away from the creditors.

The Turkish delegation certainly realised that the integral maintenance of the Ottoman Public Debt was an absolute condition of Turkey's credit. The economic development and modernisation of their country was one of the first objects of their programme, and everyone wished to see Turkey enjoy new prosperity in an era of peace. That eminently just desire could not be realised if Turkey herself destroyed her credit.

The principle must therefore be admitted that the administration of the debt should be maintained integrally in all its functions.

Thus the only question at issue was that of distributing the burden of the debt among the States in whose favour Turkish territory had been detached.

That distribution must be effected in proportion to the capacity of the ceded territories, calculated on the basis of the share contributed by each towards the general revenues of Turkey. Creditors had lent money to Turkey under the guarantees of an institution—the Ottoman Public Debt. Their guarantees must not be modified. The Council of the Debt must remain responsible for the service of the whole debt, but a contribution would be furnished by each of the States to which Ottoman territory had been assigned.

M. Barrère did not think that the treaty should specify the amount to be contributed by each State, since that amount could not at present be calculated exactly. He thought, however, that the Financial Sub-Commission could make approximate estimates of the contribution to be made by each State.

In this connection he wished to state that Albania's participation in this section of the negotiations was necessary in order to allow her to take her share in the Ottoman public debt by a formal adhesion to the treaty.

Ismet Pasha had said that the demand for repayment of the expenses of occupation was difficult to justify, since the sole purpose of the Armistice of Mudros was to prepare peace with Turkey and consequently the occupation itself was unjustifiable. M. Barrère pointed out that by article 7 of the Mudros Armistice Turkey recognised the Allies' right to occupy such strategic points as they wished if the position of the Allies were menaced.

There was no doubt that these occupations were chargeable to

Turkey. That was the rule which had been admitted in respect of all the countries with which the Allies had had to make peace. This principle had always been recognised and the Allies could not abandon it.

These occupations had, it was true, been continued longer than had been expected; and so the Allies would be disposed to consider an appreciable diminution in the amount of their claims. That was a question which the sub-commission could examine.

Ismet Pasha had stated that the Allied armies of occupation had themselves caused considerable damage in the occupied territories. That was a statement which the Allies could not accept. Even if some accidental damage might have been done during the occupation. this could not outweigh all the improvements which the Allied armies had brought into the country. It would be futile to start a discussion on that subject. This question of the costs of occupation should therefore also be referred to the sub-commission.

Ismet Pasha had presented the arguments which he regarded as justifying a demand for reparation by Greece for the damage done in Anatolia. M. Veniselos had replied by referring to the necessities of war, the expenses of occupation, and the obligation to come to the assistance of the Greek people who had been forced to leave Anatolia ever since pre-war times. M. Veniselos thought that if the two claims were weighed against each other, the balance would be in favour of Greece. Ismet Pasha thought differently. M. Barrère, for his part, thought that such a solution could with advantage be examined by the sub-commission; if a fair solution were reached in this way, it would be advantageous as expediting the work of the conference.

There was another question of the highest importance which he had to raise. It was a principle accepted by everyone, and (if he had rightly understood Ismet Pasha) recognised by the Turkish delegation, that complete reparation should be made for the damage done to Allied nationals during and since the war, through the action of Turkey. But in respect of this reparation all would be unanimous in thinking that every guarantee of impartiality should be given to Turkey. The sub-commission would study the means of ensuring this.

M. Nintchitch thanked M. Barrère for having proposed the participation of Albania in the discussion on the distribution of the Ottoman debt. Albania was now an independent State which, from a juridical point of view, enjoyed the same rights as every other State, and consequently should participate on a footing of complete equality in the discussion of a question of direct interest to her.

He wished to state at once that the Serb-Croat-Slovene delegation would strongly oppose in the sub-commission the proposals which, in the opinion of the inviting Powers, were apparently to serve as a basis for the solution of the Ottoman public debt question.

As regards reparation for damage, the question was perhaps very important in itself, but it did not interest European public opinion, to which great heed must be paid with a view to the establishment of a lasting peace. An examination of that question, however important it might appear, was less urgent than that of the other problems, and he thought it would be best to postpone it for a while. He also thought that the experience which the sub-commission would acquire during its investigations would enable it to modify and improve its plan of work. In any case, the Serb-Croat-Slovene delegation would collaborate to the best of its ability in the work of the sub-commission.

M. Bompard thought it necessary for the sub-commission to start its work and make every effort to solve the problems referred to it. If later on another plan of work seemed preferable, the commission would always be able to adopt it.

As regards the question of reparation for damage, it could not be denied that even if it excited less interest abroad, it was of very considerable interest to Turkey.

M. Barrère said that the general discussion was now closed and the sub-commissions could start their work at once. He proposed that the third sub-commission should meet on the next day at 10·30 a.m., and the fourth sub-commission on the following day at the same hour.

Ismet Pasha observed that the question of repayment of expenses of occupation was apparently justified, in the view of the Allies, by the provisions of the Mudros Armistice. Now the position of the Turkish delegation at the present conference was based on the Armistice of Mudania. He could not therefore agree to this subject being referred to the sub-commission. The Turkish delegation renewed their most express reservations as regards their non-acceptance of the principle whereby expenses of occupation should be repaid.

He noted with satisfaction that the principle of distributing the debt had been accepted by the conference. On the other hand, he made formal reservations as regards the interpretation placed by M. Barrère on the Turkish delegation's statement respecting the reparation question. He agreed that the third sub-commission should begin its work the next day.

Lord Curzon said that Ismet Pasha had stated—as he had every right to do—the views of his own Government on the Armistices of Mudros and Mudania; he must not, however, imagine that these views were shared by the British or Allied Governments, who would enter the discussion on an entirely different basis. The fact that Ismet Pasha's remarks had been allowed to pass must not be regarded as implying acceptance of his views.

(The commission rose at 5·50 p.m.)

No. 36.

Economic and Financial Commission.

Minutes of the Third Meeting, December 8, 1922, at 3 p.m., under the presidency of M. Barrère.

Present :

British Empire.
Sir Horace Rumbold.

Italy.
Marquis Garroni.
M. Montagna.

Japan.
Baron Hayashi.
Mr. Otchiai.

Roumania.
M. Contzesco.

France.
M. Barrère.
M. Bompard.

United States of America.
Mr. Child.
Admiral Bristol.
Mr. Grew.

Greece.
M. Caclamanos.

Kingdom of the Serbs, Croats and Slovenes.
M. Rakitch.

Turkey.
Ismet Pasha.
Riza Nour Bey.

Also present :

British Empire.
Mr. Fountain.
Mr. Waley.

Italy.
M. Nogara.
M. Arlotta.
M. Guariglia.

Japan.
Mr. Sato.
Mr. Tani.

Kingdom of the Serbs, Croats and Slovenes.
M. Djouritch.

France.
M. Bargeton.
M. Leverve.
M. de Lacroix.
M. Sanguinetti.

United States of America.
Mr. Heck.
Mr. Dwight.

Greece.
General Mazarakis.

Turkey.
Moukhtar Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.	FRANCE.
Mr. Spring Rice. Mr. Ronald.	M. Lagarde.
GREECE.	ITALY.
M. Collas.	M. Indelli.
JAPAN.	TURKEY.
Mr. Hotta.	Rechid Safvet Bey.

Interpreter: M. Camerlynck.

M. BARRÈRE said that he had learnt with much satisfaction that the Sub-Commission on Communications and Transport had come to a rapid conclusion of its work.

At his request,

MR. FOUNTAIN, president of the sub-commission in question, read the draft articles for insertion in the treaty of peace respecting transport and communications (see Annex).

Articles 1 to 11 were adopted.

In regard to article 12, ISMET PASHA said that he agreed with its technical import, but that this article also had a political character, and in this respect was certainly beyond the competence of the sub-commission. He desired that this defect might be remedied by substituting the following formula for the text proposed :—

> "Turkey renounces all her rights over the whole or part of the cables, the two extremities of which are situated on territory detached from the Ottoman Empire and outside Turkey."

He considered it desirable to reserve the rights of Turkish nationals, with a view to enabling them eventually to approach the new proprietors of these cables as regards private claims in respect of the value of the cables and of the counter-value which the concession itself might represent.

He further made some remarks in regard to the reckoning of the value of these cables on the basis of their original cost. He thought that this basis could not serve as a criterion for estimating their present value.

M. BARRÈRE observed that in redrafting this article account should be taken of the original text to a greater extent than was done in the Turkish draft. He proposed to refer the article back to the sub-commission for amendment.

MARQUIS GARRONI asked that the sub-commission should also re-examine article 13, in respect of which the Italian delegation wished to propose a new draft.

In connection with article 14, Ismet Pasha proposed to make the following addition at the end :—

> "Turkey, however, reserves the right to regulate freely her aerial relations with the States which are not signatories of the above-mentioned convention of the 13th October, 1919."

At the request of the president, Ismet Pasha agreed that this addition should be referred to the sub-commission simultaneously with the modification which he demanded in article 12.

M. Barrère said that the three articles would be referred back to the sub-commission, which would meet at 6 p.m. He noted that the draft articles laid before the commission were adopted, except as regards the reservations which had just been made.

He then spoke as follows :—

"The draft clauses which you have adopted lay down the general rules applicable to ports, waterways and railways; to railways across which the new frontiers cut; to the hydraulic system; to postal, telegraphic and telephonic communications; and finally, to aerial navigation.

"These clauses record, in particular, the desire of Turkey to adhere to the great international conventions by which most States are bound in these matters, namely, the Conventions of Barcelona and Berne; postal and telegraphic conventions; and the convention on aerial navigation.

"Indeed, this draft regulates a whole series of technical questions; and you know, gentlemen, what a great part these questions play in the economic life of modern times.

"We must therefore congratulate ourselves on having thus been able to complete an important chapter of the treaty which we have to prepare.

"This success is certainly due to the spirit of justice and conciliation shown by all the delegations, and especially to the good-will of the Turkish delegation. I feel it my duty to take note of this on your behalf, and I have no doubt that we shall find the same good dispositions in dealing with the other questions which still require to be settled by us.

"I shall surely interpret your feelings when I congratulate the Sub-Commission on Communications and Transport, and the committee of experts who prepared the draft, on the excellent work which they have accomplished so quickly.

"In conclusion, I propose that you ask our legal advisers kindly to go through the form of verifying the clauses which you have adopted, solely with a view to their embodiment in the treaty."

M. Barrère added that he had been struck by the quickness and ability displayed by the sub-commission in settling these very difficult questions. He was happy to think that this sub-commission had been the first to produce a concrete and complete piece of work. He hoped that this example would be followed by others. He wished in particular to congratulate the president of the sub-commission, Mr. Fountain, whose ability had so greatly contributed to the success of its work.

(*The commission rose at* 3·30 P.M.)

ANNEX TO NO. 36.

Report of the Sub-Commission on Communications and Transport.

THE Second Sub-Commission of the Third Commission has examined the questions concerning communications and transport which were referred to it.

The sub-commission has unanimously agreed upon the following articles, which are designed to lay down the general rules applicable to the following matters :—

Régime of transit, ports, waterways and railways, hydraulic system, posts and telegraphs, submarine cables, aerial navigation.

On behalf of the sub-commission,
H. FOUNTAIN.

December 7, 1922.

SUB-ANNEX.

Transit, Waterways and Ports.

ARTICLE 1.

Turkey undertakes to adhere to the statute respecting the freedom of transit adopted by the Conference of Barcelona on the 14th April, 1921, and to the statute respecting the régime for waterways of international interest adopted by the Conference of Barcelona on the 19th April, 1921, and to the supplementary protocol.

Turkey accordingly undertakes to bring into force the provisions of these statutes and protocols as from the entry into force of the present treaty.

ARTICLE 2.

Turkey undertakes to adhere to the declaration made at Barcelona in April 1921, recognising the rights of the flag of States not possessing an access to the sea.

ARTICLE 3.

Turkey adheres to the recommendations respecting ports placed under an international régime, drawn up at the Conference of Barcelona in April 1921. She will subsequently make known those ports which will be placed under that régime.

Railways.

ARTICLE 4.

Turkey undertakes to adhere to the recommendations respecting international railways, drawn up at the Conference of Barcelona in April 1921. She agrees to bring these recommendations into force on the coming into force of the present treaty and subject to reciprocity.

ARTICLE 5.

From the coming into force of the present treaty, Turkey agrees to subscribe to the conventions and arrangements signed at Berne on the 14th October, 1890, the 20th September, 1893, the 16th July, 1895, the 16th June, 1898, and the 19th September, 1906, regarding the transportation of goods by rail.

ARTICLE 6.

When, as a result of the fixing of new frontiers, a railway connection between two parts of the same country crosses another country, or a branch line from one country has its terminus in another, the conditions of working, in so far as concerns the traffic between the two countries, shall be laid down in a convention concluded between the railway administrations concerned. If these administrations cannot come to an agreement as to the terms of such convention, the disagreement shall be settled by arbitration.

The establishment of all new frontier stations between Turkey and the neighbouring States, and the working of the lines between those stations, shall be settled by agreements similarly concluded.

ARTICLE 7.

Subject to any special provisions concerning the transfer of ports and railways, whether owned by the Ottoman Government or private companies, situated in the territories detached from the Ottoman Empire under the present treaty, and also subject to the financial conditions relating to the concessionnaires and the pensioning of the personnel, the transfer of railways will take place under the following conditions:—

1. The works and installations of all the railroads shall be left complete and in as good condition as possible.
2. When a railway system possessing its own rolling-stock is situated in its entirety in transferred territory, such stock shall be left complete with the railway, in accordance with the last inventory before the 30th October, 1918.
3. As regards lines, the administration of which will in virtue of the present treaty be divided, the distribution of the rolling-stock shall be decided by agreement between the administrations taking over the several sections thereof. This agreement shall have regard to the amount of the

material registered on those lines in the last inventory before the 30th October, 1918, the length of the track (sidings included), and the nature and amount of the traffic. Failing agreement, the points in dispute shall be settled by an arbitrator. This arbitrator shall also if necessary specify the locomotives, carriages and waggons to be left on each section, the conditions of their acceptance and such provisional arrangements as he may judge necessary to ensure for a limited period the current maintenance in existing workshops of the transferred stock.

4. Stocks of stores, fittings and plant shall be left under the same conditions as the rolling-stock.

Hydraulic System.

ARTICLE 8.

In default of any provision to the contrary, when as the result of the fixing of a new frontier the hydraulic system (canalisation, inundation, irrigation, drainage or similar matters) in a State is dependent on works executed within the territory of another State, or when use is made on the territory of a State, in virtue of pre-war usage, of water or hydraulic power the source of which is on the territory of another State, an agreement shall be made between the States concerned to safeguard the interests and rights acquired by each of them.

Failing an agreement, the matter shall be regulated by arbitration.

Posts and Telegraphs.

ARTICLE 9.

From the coming into force of the present treaty, the high contracting parties shall bring into force again the conventions and arrangements named below, in so far as they are concerned therein :—

Postal Conventions :—

Conventions and agreements of the Universal Postal Union signed at Vienna on the 4th July, 1891.

Conventions and agreements of the Postal Union signed at Washington on the 15th June, 1897.

Conventions and agreements of the Postal Union signed at Rome on the 26th May, 1906.

Conventions and agreements of the Postal Union signed at Madrid on the 30th November, 1920.

Telegraphic Conventions :—

International telegraphic conventions signed at St. Petersburg on the 10th/22nd July, 1875.

Regulations and tariffs drawn up by the International Telegraphic Conference at Lisbon on the 11th June, 1908.

ARTICLE 10.

From the coming into force of the present treaty the high contracting parties shall re-establish, in so far as they are concerned, the International Radiotelegraphic Convention of the 5th July, 1912.

Submarine Cables.

ARTICLE 11.

Roumania and Turkey will come to an agreement in regard to fixing the working conditions of the Constanza–Constantinople cable, taking account of the interests of both parties. Failing agreement, the matter shall be settled by arbitration.

ARTICLE 12.

Turkey renounces on her own behalf and on behalf of her nationals, in favour of the principal Allied Powers, all rights, titles or privileges of every kind over the whole or part of the Jeddah–Suakim and Cyprus–Latakia cables.

If the cables or portions thereof transferred under the preceding paragraph are privately owned, their value, reckoned on the basis of the original cost minus a reduction in respect of depreciation, shall be placed to the credit of Turkey.

ARTICLE 13.

Turkey will retain the rights of property which she may already possess over those cables of which at least one end remains in Turkish territory. The working conditions shall be settled by an agreement between the States which own the two ends of the cables.

ARTICLE 14.

Turkey declares herself willing to adhere to the convention of the 13th October, 1919, regulating aerial navigation and to accept in consequence all the principles and rules laid down in the said convention. The Allied Powers take note of this declaration and undertake to give their support to Turkey with a view to obtaining as soon as possible her admission to take part in the convention.

No. 37.

ECONOMIC AND FINANCIAL COMMISSION.

Minutes of the Fourth Meeting, January 13, 1923, at 4 P.M., under the presidency of M. Bompard.*

Present:

BRITISH EMPIRE.	FRANCE.
The Marquess Curzon of Kedleston. Sir Horace Rumbold.	M. Bompard.

ITALY.	UNITED STATES OF AMERICA.
Marquis Garroni. M. Montagna.	Mr. Child. Admiral Bristol. Mr. Grew.

JAPAN.	GREECE.
Baron Hayashi. Mr. Otchiai.	M. Veniselos. M. Caclamanos.

ROUMANIA.	KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Diamandy.	M. Rakitch.

TURKEY.	BELGIUM.
Ismet Pasha. Riza Nour Bey. Hassan Bey.	Baron Moncheur. M. Bette.

ALBANIA.

M. Frasheri.
M. Blinishti.

Also present:

BRITISH EMPIRE.	FRANCE.
Sir A. Block. Mr. Ryan. Dr. Clemow. Mr. Nicolson. Mr. Forbes Adam. Mr. Leeper. Mr. McClure. Major Young.	M. Serruys. M. des Closières. M. Bargeton. Lieut.-Col. Courtin. M. Bexon. M. de Lacroix. M. de Percin. M. Sanguinetti.

ITALY.	UNITED STATES OF AMERICA.
M. Arlotta. M. Nogara. M. Polverelli.	Mr. Dwight. Mr. Amory. Mr. Heck. Mr. Gillespie.

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* These minutes do not represent the signed versions of speeches other than the British.

JAPAN.

Mr. Sato.
Mr. Koshida.

GREECE.

M. Michalopoulos.
M. Dendramis.
M. Politis.
M. Drossopoulos.

ROUMANIA.

M. Contzesco.

SERB-CROAT-SLOVENE STATE.

M. Antitch.

TURKEY.

Hamid Bey.
Shefik Bey.
Munir Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

FRANCE.

M. Lagarde.

ITALY.

M. Guarnaschelli.
M. Zanchi.

UNITED STATES OF AMERICA.

Mr. Belin.

JAPAN.

Mr. Hotta.

GREECE.

M. Collas.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Rechid Safvet Bey.

BELGIUM.

M. Paternotte.

Interpreter: M. Camerlynck.

M. BOMPARD conveyed to the conference the apologies of M. Barrère, who was temporarily indisposed, and had asked M. Bompard to take the chair at the present meeting in order not to delay the work of the conference.

Clauses 12, 13 *and* 14 *respecting Communications and Transport.*

M. BOMPARD laid before the commission a report from the Sub-Commission on Communications and Transport (Annex (A)) concerning these clauses.

Clauses 12 and 13 were adopted.

M. Bompard stated that further negotiations were in progress on the subject of clause 14, and that it would be well to await the result of them before taking a decision.

Financial Clauses.

The commission had before it the report presented by M. Bompard on behalf of the Financial Sub-Commission (Annex (B)).

M. BOMPARD thought it unnecessary to have this document read, as all the delegates were acquainted with it. He preferred to invite the Turkish delegation to speak at once on each part of the report.

Distribution of the Ottoman Debt.

ISMET PASHA said that the Turkish delegation had examined the report of the president of the First Sub-Commission with the greatest care. They noted with satisfaction the eminently just decision which had been taken unanimously in regard to the apportionment of the Ottoman Debt among all the territories which had formed part of the former Ottoman Empire. Nevertheless, the ideas set forth in the report regarding the method of dividing up the debt did not exactly correspond with the ideas of the Turkish delegation on the matter, and they therefore felt bound to state the following considerations with a view to defining their attitude:—

There was a wide divergence of view between the Turkish and Allied delegations respecting the total of the debt to be divided up. The Turkish delegation held that the total amount of the Ottoman Debt which should be distributed among the succession States of the Ottoman Empire ought to be the total debt which existed on the 30th October, 1918. They were convinced that their request was entirely consonant with justice and equity, for the following reasons:—

(*a.*) The debt to be divided up was not a debt the payment of which was demanded of the Allied Powers; it was, on the contrary, a debt contracted by all the various parts of the Ottoman Empire, at a time when they had a common existence, for the purpose of meeting their financial needs. It was consequently quite natural that each part of the Ottoman Empire should take over its due share of that debt.

(*b.*) Even if it were argued that part of the debt in question was contracted during the war, the Turkish point of view would still be correct; for the portions of the Ottoman Empire now detached from Turkey had not ceased to take part in the Government of the Empire through constitutional agencies until the armistice of 1918. The principle of peoples being responsible for the actions of their Governments was one which had constantly been brought forward in recent years; and it was therefore quite natural that the populations of all the territories which formerly constituted the Ottoman Empire should take their share of all the expenses of their common existence up to 1918.

(*c.*) Similarly, if one ought to take into account what was called "responsibility for war" (as was stated in the report), it would be altogether unjust and unfair to maintain that that responsibility should be borne by Turkey alone, which constituted only one of the component parts of the Ottoman Empire.

> It followed that all the territories detached from the Ottoman Empire were naturally bound to assume a portion of that Empire's debt. It was likewise clear that the objections of the Allied Powers on the subject were quite unfounded.

For all these reasons the Turkish delegation were compelled to state that the distribution of all the debts included in the table which they had the honour to submit constituted a vital point which they could neither withdraw nor modify.

M. Bompard said that the Turkish proposal amounted in practice to adding two items to the table prepared by the Allied delegations: the internal loan (£ T. 18,000,000) and the paper currency issued by the State during the war (£ T. 150,000,000 to £ T. 170,000,000).

In this connection, M. Bompard wished to observe that, while these two items were expressed in terms of Turkish pounds paper, the Turkish delegation had added them up in their table together with other loans expressed in Turkish pounds gold.

The question before the commission was whether the debt to be distributed should comprise the debt contracted by the Turkish State during the war. The Allied Governments, in drawing up their table, had adhered to the generally established custom, namely, to exclude war debts, which should be borne solely by the State responsible for the war.

The Turkish delegation stated that the detached territories should bear their share of war expenditure, because they had taken part in the war, having been at the time integral parts of the Ottoman Empire. As a matter of fact, these territories had taken part in the war in exactly the same way as Croatia and Slovenia, *i.e.*, countries which had taken part in the war on the side of Austria against their will, and had for that very reason been exempted from any contribution to Austria's war expenditure.

Finally, it seemed difficult to admit that issues of paper currency should constitute a debt of the State, since the latter was not bound to pay interest on it.

Ismet Pasha said that he had taken M. Bompard's arguments into account, as they had already been laid before the Financial Sub-Commission. In his opinion, justice required that the whole Ottoman Empire, as it existed at the time of the armistice, should take part in the total burdens borne by the Empire at that date.

M. Bompard said that the Allied Governments maintained their point of view on this question in its entirety.

Lord Curzon wished to associate himself entirely on behalf of the British delegation with the position taken up by M. Bompard. He had not had the advantage of assisting at the meetings of the sub-commission, and therefore was not as familiar as other delegates present with the arguments which had been employed; but upon the general principle at issue he could not conceive that there could be any doubt. As M. Bompard had remarked, it was entirely in accordance with justice and with all precedents that the date from which the distribution of the debt was to be reckoned should be the beginning of the war. He was astonished that anyone should dispute that self-evident proposition. The Turkish delegation had actually proposed to throw upon the territories which had voluntarily separated themselves from the Ottoman Empire the burden of all the war—a war in which they had little sympathy and had not taken a notable part. How could such a proposal be sustained consistently with equity? One of the arguments advanced by Ismet Pasha was that there was a difference between the Ottoman Government of 1914 and the present Angora Government, and that, since the war was declared and carried on by the former, the latter were not responsible. That was a very dangerous argument for the Turkish delegation to employ, since it could be used against them quite as often as in their favour. He much regretted to see them take up such an intransigent attitude on this matter, for while in some questions laid before the conference the arguments balanced each other, that was not so in the present instance. The Turkish delegation would never succeed in sustaining their case before before any tribunal of public opinion.

The delegates were now approaching a stage at which it was their duty to finish; he was therefore very sorry when he saw any delegation, whether Turkish or Allied, put an unnecessary stone in the path. This was what had just been done. He must therefore most earnestly ask the Turkish delegation to consider whether the point now at issue was one upon which they could with any chance of justifying their case reject (as they were apparently disposed to do) the most equitable and reasonable proposals put before them by the Allies.

Marquis Garroni associated himself on behalf of the Italian delegation with the remarks of Lord Curzon and M. Bompard. The question had already been discussed at the sub-commission, and the arguments in favour of the Allied case, which had just been summed up, did not admit of any controversy.

Ismet Pasha said that the distribution of the Ottoman Public Debt was one of the most important financial questions requiring settlement. He was astonished that the daily sacrifices made by the Turkish delegation did not convince the other delegations that Turkey had reached the limit of concession. Nevertheless every day fresh sacrifices were being demanded of them. Syria, Mesopotamia and the other detached countries were not willing to assume their share of the debt contracted for the purpose of the common prosecution of a war common to them all. Those countries wished to cause all the war expenditure to be borne by Turkey, who was naturally poor in resources and still further impoverished by the war. The proposal of the Turkish delegation was equitable and would be approved by the public opinion of the world. Ismet Pasha therefore asked the inviting Powers to examine the question in a spirit of equity, and to be so good as to decide that Turkey's whole debt at the time of the armistice of Moudros should be distributed among all the succession States of the Ottoman Empire. He further asked that the Financial Sub-Commission should be requested to examine the matter afresh.

M. Bompard said that it would be for the commission to decide whether this proposal should be accepted.

Railway Loans.

M. VENISELOS laid before the commission a note containing the remarks of the Greek delegation in regard to the inclusion of railway loans in the table of the debt to be distributed (Annex (C)).

He recalled the fact that when he had first raised this question at the Financial Sub-Commission, the inviting Powers had admitted that he was right, and had gone so far as to distribute on the 8th December a proposal in harmony with his view (see Annex (C), § II, concluding portion). Later on the inviting Powers had gone back on their proposal on the pretext that it implied the distribution of debts contracted by private companies and not by the Turkish State. But this statement was incorrect.

Referring to the note in which the Greek delegation had set forth their case, M. Veniselos explained that what Greece asked was that the burdens undertaken by the Ottoman Government in the form of kilometric guarantees, with a view to ensuring the building and working of railway lines, should be taken into account. There was no difference between the payment of a kilometric guarantee and the service of a loan, because both were charges assumed by the State for the construction and working of railways. M. Veniselos suggested that one could convince oneself of this by comparing the relevant articles in the Bagdad Railway Convention and the convention regarding the Salonica–Constantinople junction line, which were annexed to the Greek note. Why should distribution of the burden be admitted in the case of the former articles and excluded in the case of the latter, when both were identical? The case of the Salonica junction line deserved special consideration, inasmuch as the Greek Government had in 1919 proceeded to buy the line in response to an urgent request from the French Government. The Greek Government had at that time agreed to reimburse the share capital of the company, and to undertake to pay the interest on the debentures which had been issued. Further, the Greek Government had assumed the responsibility for the payment of the kilometric guarantee which the Ottoman Government had undertaken by the concession contract to place at the disposal of the company. Article 9 of the convention concluded between the Greek Government and the company in 1920 ran as follows:—

> "In order to replace the security assigned by the Ottoman Government for the (kilometric) guarantee of the line, the Greek Government agrees to assign to the payment of the interest of the debentures issued by the company the surpluses of the revenues administered by the International Commission at Athens. This assignment shall rank immediately after the assignment already agreed to by the Greek Government arising from the said revenues.
>
> "In accordance with the preceding articles the Greek Government shall notify the provisions of this article to the International Commission."

It would not be right that the purchase of this line, which had been undertaken with a view to safeguarding French interests otherwise compromised, should react to the disadvantage of the Greeks.

If this purchase had not been carried out, the service of the kilometric guarantee would still remain due by Turkey and ought to have been distributed as a State liability. The fact that Greece had assumed a charge of this kind must not be allowed to do her injury. The Allied Powers could not reproach Greece for having acted as she did; besides, even if Greece had made the purchase of her own accord solely in order to give satisfaction to the bondholders, she would be justified in claiming that part of the burden thus assumed by her should be distributed on the same basis as the whole of the Ottoman Public Debt. For this reason the Greek delegation urgently requested that all charges connected with railways should either be divided up among all the succession States, or else be excluded from the table. They were so firmly convinced of the soundness of their argument that they were quite ready, with a view to facilitating agreement among the delegations, to have the question referred to arbitration by the Permanent Court of International Justice at The Hague.

M. FRASHERI wished to state that the Albanian delegation had never asked that the railway loans, representing a sum of 38 million Turkish pounds, should be excluded from the debt to be distributed; they had only asked that a special method of distribution should be adopted in the case of this special debt. He had no desire either to compromise the interests of the holders of railway loans or to impose on Turkey a burden which should not fairly fall upon her. His demand was that there should be a special distribution in the case of railway loans, in proportion to the length of the railways covered by the loans. It was not quite correct to state that this was a debt, since the Turkish railway system was based on the principle of kilometric guarantees. Railway loans could not be regarded as having brought in receipts to the Ottoman Treasury, which had only acted as an intermediary for collecting funds with one hand in order to assign them immediately to the construction of railway lines. The liability imposed on the Treasury for the service of the kilometric guarantees varied in proportion with the economic yield of the different railway systems; thus at the end of six years the receipts of the Salonica–Monastir railway had been sufficient to enable the company to ensure the whole service of its debentures without resorting to the guarantee which Turkey had undertaken.

On the other hand, the Dedeagatch–Salonica railway, which was a system more strategical than commercial in character, had always had to resort to the guarantee uninterruptedly.

As regards the Bagdad railway, the Ottoman State had undertaken a two-fold guarantee: firstly, that of the service of the loans and, secondly, that of an adequate return on the working of the line.

In point of fact, the Bagdad railway had not brought receipts into the Ottoman Treasury any more than the loans issued directly by the railway companies. On the other hand, whether the funds had been provided by the State or by the companies, the charges assumed by the Turkish Treasury were identical in all cases.

For these reasons the Albanian delegation asked that the charges undertaken by the Ottoman Government for the purpose of constructing and working railways should be borne solely by those States across whose territory the lines ran. Albania had a special interest in taking advantage of this principle, because there was not a single kilometre of railway within her territory. In this manner none of the succession States would be injured.

In the event of the Albanian proposal not being adopted, M. Frasheri agreed to the question being referred to The Hague Court.

Ismet Pasha said that the Turkish delegation adhered to their position. They reserved the right to reply later on in regard to the new proposal to submit the matter to arbitration.

Sir H. Rumbold concurred in the proposal of M. Venizelos and the Albanian delegation on condition that recourse should be had to arbitration on this question only.

Marquis Garroni and **M. Bompard** concurred in Sir H. Rumbold's statement with the same reservation.

Assumption of Shares of Debt and Payment of Coupons in Arrear.

M. Bompard explained that the Allied Powers, wishing to effect a compromise, had fixed the 1st March, 1920, as the date from which the detached territories would become liable for the payment of the annuities. The Powers were willing to take into consideration the fact that a long period had elapsed since the signature of the armistice of Mudros, and had therefore departed from the general rule that the payment of annuities should only be incumbent on States among which a debt is distributed as from the coming into force of the Treaty of Peace.

Hassan Bey considered that in deciding the date as from which the payment of annuities should devolve on each of the succession States of the Ottoman Empire, one should be guided by the following considerations.

In fixing the shares of the Balkan States, one should take into account the date of the treaties which put an end to war between the Ottoman Empire and the States in whose favour territorial concessions had been made.

As regards the shares of debt devolving on territories which were to be detached by the treaty now under consideration, the armistice of Mudros—which fixed the *de facto* separation of these territories from the Ottoman Empire—had been taken as the starting point; and it was necessarily incumbent upon those countries to pay the annuities due in respect of them since the conclusion of that armistice.

If it were admitted that the territories detached from the Ottoman Empire in consequence of the great war should (like the territories annexed by the Balkan States) pay the annuities due from them as from the signature of the treaty now under negotiation, it must also be admitted that these territories should take over their share of all the debts contracted up to the time when the treaty was concluded. Under this theory the consequence would be that the position of these territories, so far from being rendered easier, would become worse. The Turkish delegation considered that the *de facto* separation of the detached territories was sufficient to justify the distribution of the duties and liabilities between these territories and

Turkey; they had therefore consented to take the 30th October, 1918, as the date at which to fix the amount of the debt to be divided between these territories and Turkey. In consequence it became obligatory for the detached territories to pay as from that date the annuities of the debts devolving upon them.

As regards the coupons in arrear, the annuities which were due from Turkish territories transferred to the Balkan States, and had been paid on account for these States by the Ottoman Empire from 1912 to 1918, should he refunded by the Balkan States; and when the total amount of these coupons had been recovered from them, it should be placed by the Administration of the Public Debt to Turkey's credit and employed as sinking fund for Turkey's own debt. As regards the unpaid coupons subsequent to 1918, the States which were to acquire Ottoman territory by the treaty of peace should pay these coupons like Turkey herself, and in proportion to the share of the debt allotted to them.

These States should come to terms with the Administration of the Public Debt with a view to devising a scheme whereby these coupons would be paid off in twenty years, without interest and by equal instalments.

M. Bompard observed that the Turkish delegation apparently took no account of the fact that the detached territories had been severed from Turkey in consequence of the war, and not during a period of peace.

Hassan Bey said that the Ottoman Public Debt had since 1918 been deprived of the resources normally appertaining to it from certain detached countries. Either these resources must be placed at the disposal of the Public Debt, in which case the latter would agree to pay the arrears of coupons since the Mudros armistice, or else these resources would not be restored, and the arrears of coupons would not be paid by the Public Debt but by the State. It was impossible to impose so heavy a burden on Turkey alone.

Ismet Pasha said that the war had entailed most grievous sacrifices for Turkey. She had been at war for over eight years, and so her position could not be compared with that of the other Powers; she had endured far greater suffering than the other Powers, and considered herself entitled to particularly equitable treatment. In Ismet Pasha's opinion this question was not simply within the province of the technical experts, and should above all be examined in a spirit of equity.

M. Bompard said that equity had been the guiding spirit of the Powers, and had caused them to frame their proposal for a compromise. They had displayed especial benevolence towards Turkey by consenting to fix as far back as the 1st March, 1920, the date on which the detached territories should assume their share in the service of the loans.

Ismet Pasha said that the proposals of the Turkish delegation were always as moderate as possible. They therefore appealed to the delegations' sense of equity, with a view to the acceptance of their demand.

Reconstitution of the Tripoli Reserve Fund.

M. Bompard stated that the Tripoli reserve fund invested in Turkish unified bonds, which had been paid by the Italian Government to the Public Debt and constituted part of the bondholders' security, had been invested during the war in the internal loan. In the interest of the bondholders, the Powers asked that this fund should be transferred back into Turkish unified bonds.

Sir H. Rumbold said that the sum involved was £T. 1,100,000.

Hassan Bey held that this question had been settled by the sub-commission, and that the decision whereby the Council of the Ottoman Public Debt had authorised this operation was perfectly in order. That decision had been adopted by a majority vote, in accordance with the statutes of the Public Debt. M. Nogara himself had been present. Besides, this conversion had not compromised the interests of the bondholders, since the reserve fund had been reinvested in bonds of the internal loan—a loan which was guaranteed like other Turkish funds.

Sir H. Rumbold observed that there was a certain irregularity in the decision of the council, because the Allied members of the council did not take part in it.

M. Bompard said that the council would be consulted on this point.

Confirmation of the Decree of Mouharrem.

M. Bompard said that article 11 of the Allied draft would be suppressed if the Turkish delegation made a declaration on behalf of their Government, whereby the latter undertook to make no change in the decree of Mouharrem and in the other decrees mentioned in article 11 of the Allied draft. An engagement of this kind was necessary not only in the interest of the bondholders, but also with a view to safeguarding the credit of the Turkish State itself.

Hassan Bey replied that the Turkish Government was ready to make a declaration of this nature to the Council of the Debt before the end of the conference. The bondholders' syndicates would be informed of it. He again called attention to the fact that it was impossible to confirm the decree of Mouharrem by a treaty, since that decree was an internal matter and the Council of the Debt was a private institution.

M. Bompard took note of this promise, and observed that it would be convenient if the Powers were acquainted, as soon as possible, with the text of the Turkish Government's declaration, so that they could eliminate article 11 from the draft.

Method of Distributing the Debt.

Hassan Bey reminded the delegates of a point which he had made at the sub-commission, namely that the Government of the Grand National Assembly wished the capital of the debt to be distributed. He asked the commission to be so good as to refer this matter back to the financial sub-commission for examination.

M. Bompard observed that this constituted a fresh demand on the part of the Angora Government.

War Damages and Expenses of Military Occupation.

Ismet Pasha said that the Turkish delegation adhered to their view on the subject of the Allied draft as regards war damages and the reimbursement of military occupation expenses.

They agreed that with the exception of Greece, the Allied Powers and Turkey should repair the damage caused by them to the nationals of the opposite side; in other words, Turkey would repair the war damages inflicted on Allied nationals in her territory, and the Allied Powers would likewise repair the damage inflicted by them on Ottoman nationals during the war or the period of occupation.

As would be seen, Turkey accepted the reparation of war damage on condition that it should be reciprocal; but the payments which the Ottoman Government would have to make in this respect constituted a debt of the former Empire and ought, like all the other debts of that Empire, to be distributed among its successors. Similarly, the payments which the Allied Powers would have to effect would not be distributed among nationals of the Government of the Grand National Assembly of Turkey alone, but among the nationals of all the States in whose favour territory had been detached from the Ottoman Empire.

As regards occupation expenses, the Turkish delegation were obliged to declare once more in the most formal manner that since the occupation in question had been carried out for the purpose of putting the Ottoman Government under the influence of the Allied Powers and thus compelling it to accept extremely onerous conditions of peace, and since Turkey had in consequence suffered most serious losses and had to make most grievous sacrifices, the Turkish Government could not in any way agree to make any payment on this count.

The Greek devastations in Turkey amounted to 4 milliard francs gold. They were carried out without any military necessity, for the sole purpose of destroying the homes of the Turkish people, wiping out their agricultural and industrial establishments, seizing their cattle—in a word, transforming the richest and most prosperous parts of Anatolia into a field of ruins.

The reparation of all these devastations, which had been accomplished before the eyes and with the knowledge of the whole world, was a demand which the Turkish delegation could on no account renounce. They strongly hoped that this point would be considered with all the attention which it deserved. It was, moreover, clear that the damage done by Greece to Allied nationals should be repaired by the Greek Government.

In regard to the counter-proposals of the Greek delegation, the Turkish delegation had the honour to make the following statement:—

> "The Turkish point of view concerning occupation expenses has been stated above; the demand for the reimbursement of its occupation expenses, made by a Government which has devastated the soil of Turkey, is, to say the least of it, exceedingly strange.

"Similarly, the Greek demand in respect of the reimbursement of expenses incurred on behalf of Greeks, who had previously emigrated from the Ottoman Empire and later—after co-operating with the Greek army in Turkey—were obliged to leave Anatolia again, cannot be considered either and is devoid of any juridical foundation."

Sir H. Rumbold observed that in the matter of reimbursing the Allies' occupation expenses the Turkish Government appeared to contest the results of the great war.

M. Bompard remarked that the attitude adopted by the Powers in this matter was not dictated by strict adherence to principle and that they had agreed to a very considerable compromise, since the sums claimed by them were far smaller than the actual expenses which they had set forth.

M. Venizelos did not wish at the present late hour to start a discussion with Ismet Pasha, but he wanted to repeat that he did not in any way accept Ismet Pasha's statements as regards Greece.

M. Bompard said that Turkey's opposition to most of the clauses proposed by the Allies rendered the conclusion of an agreement, which all desired, extremely difficult.

It was decided to refer back to the sub-commission (which was to hold its last meeting for this purpose) the points on which it had not yet been possible to reach agreement.

(*The commission rose at* 6·20 P.M.)

ANNEX (A) TO No. 37.

The President of the Sub-Commission on Communications and Transport to the President of the Economic and Financial Commission.

Your Excellency, *Lausanne, December* 12, 1922.

The Second Sub-Commission of the Third Commission has re-examined the 12th, 13th and 14th of the articles proposed in its first report, and has taken into due consideration the observations made upon this subject by the Turkish delegation and the Italian delegation at the commission's meeting of the 8th December. The sub-commission unanimously decided to recommend the substitution for the old 12th and 13th articles of the two articles of which I have the honour to enclose a copy.

As regards article 14, the Turkish delegation feels unable to accept the convention of the 13th October, 1919, which regulates aerial navigation, because it cannot reconcile the provisions of this convention with certain obligations which it has towards States who are not signatories of the convention. In view of this fact the sub-commission recommends the suppression of article 14.

I have, &c.

H. FOUNTAIN

Article 12.

Turkey renounces in her own name and in the name of her nationals all rights, titles or privileges of any nature relating to the whole or part of the cables of which one end will henceforth not be in her territory.

If the cables or portions of cable transferred in accordance with the previous paragraph are private property, the Governments to whom the property is transferred will be responsible for the indemnification of the individuals. In the case of disagreement about the amount of indemnity it shall be determined by arbitration.

Article 13.

Turkey shall retain the proprietary rights which she may have already over cables of which at least one end remains in Turkish territory.

As regards the exercise of the landing rights in non-Turkish territory and the conditions of exploitation, an arrangement shall be concluded between the States concerned. In case of disagreement the difference shall be settled by arbitration.

Annex (B) to No. 37.

Third Commission: Report of the First Sub-Commission (Finance).

(Presented by the President of the Sub-Commission, M. Bompard, Ambassador of the French Republic.)

Ottoman Public Debt.

The first task of the sub-commission was to decide if, in its opinion, the Ottoman Debt should be apportioned between Turkey who had contracted it and the States formed out of, or increased by, territories detached from the Ottoman Empire. After the Balkan wars it was agreed that such an apportionment should take place. The sub-commission recognised without discussion that the same procedure should be adopted as a result of the last war and that the two operations should be carried out simultaneously.

The principle of apportionment having been accepted, the first step was to define the debt which is to be apportioned. Complete agreement upon this subject has not been possible. The Turkish delegation demands that the debt which is to be apportioned should be that existing at the date of the Mudros armistice, which put an end to the hostilities, that is to say the 30th October, 1918, so that debts contracted during the war by the Turkish Empire should be borne by all the countries which then belonged to that Empire. The Allied delegations on the other hand consider that the debt should be calculated as it existed on the 1st November, 1914, the date of Turkey's entry into the war, so that she alone should be answerable for the expenses of a war for which she bears the entire responsibility. According to the statements of the Ottoman delegation and to the schedule which it has drawn up and distributed to the conference, these expenses amount to about 200,000,000 Turkish paper pounds.

Another divergence of opinion occurred between the Allied and Turkish delegations on the one hand, and the Greek and Albanian delegations on the other. The state loans contracted by the Ottoman Empire for the construction of railways, such as the Bagdad railway, have been entered in the tables drawn up by the Allied delegations, while the loans contracted by railway companies, such as the Salonica Junction Company, do not appear in the tables. The Albanian delegation demands that all these loans shall without any distinction be struck off the table. The Greek delegation demands either that they shall be struck off the tables, or, on the contrary, that they shall be all entered upon them. The Greek delegation would in case of need accept the decision of the Permanent International Court at The Hague on this point. The Allied delegations would have been glad to meet these demands, but they have felt constrained to recognise that it was not possible either to discriminate between State loans according to the use made of the funds produced by them, or to include in the State debt loans contracted by private companies, according as they have been partly or entirely devoted to public services or not. The Turkish delegation showed no marked preference for either of the above solutions.

The differences which arose upon the subject of the determination of the debt which has to be apportioned did not occur in respect of the method of apportionment. After some discussion all the delegations accepted the principle of the proportion of revenues, which was carefully studied at the conference in Paris in 1913.

It was also recognised that the apportionment of the debt could not be applied to the capital of the loans. A contrary decision would have prejudiced the rights of bondholders who have lent money to the Ottoman Government and to nobody else. It would, moreover, have led to impracticable measures. It would indeed have been necessary, if the capital was to be apportioned, to divide every Ottoman bond, which is generally for 20*l.* sterling, into about ten or more certificates of various values and belonging to different countries.

It was therefore decided that the countries, other than Turkey, among whom the Turkish debt should be apportioned, should each contribute towards the total an annuity covering all the loans which should be paid to the Council of the Ottoman debt. The Council would thus be able to pay the coupons of the Ottoman loans in the same way as heretofore, and in accordance with the obligations assumed by the Ottoman Empire at the time of issue. Nevertheless it was agreed firstly, that by a derogation from international law which is particularly favourable to her, Turkey should not be responsible for the contributions of the other States, and secondly, that these States might redeem the annuities for which they are liable by a capital payment.

It seemed that the Council of the Debt was better qualified than any other body to carry out the actual apportionment of the debt. All the delegations agreed in having confidence in the Council. Nevertheless the parties concerned will have the option of appealing against its decisions to the Council of the League of Nations. These appeals will not delay the execution of the Council's decisions.

From what date will the annuities be due from the succession States? As regards the annuities which result from the apportionment consequent upon the Balkan wars, the date of the entry into force of the treaties which terminated these wars was accepted without difficulty. It would be logical that according to the same principle the annuities resulting from the apportionment which followed the last war should only be payable on the date of the ratification of the Treaty of Peace, which is to be signed at Lausanne. But the Allied Governments have taken into consideration the long time which has elapsed since the Mudros armistice which terminated the hostilities and have consented to date the payment back to the 1st March, 1920. This concession, very considerable though it be, has not proved enough to satisfy the Ottoman delegation, which would like to date the payment back as far as the armistice, that is to say, to the 30th October, 1918. The Allied delegations declined to make this concession.

Agreement has also been reached upon other most important provisions which are contained in articles 7, 8 and 9 of the annexed draft. Articles 10 and 11, however, have aroused opposition.

The Turkish Government will not consent to reconstitute the Tripoli Reserve Fund. It argues that the fund was used to subscribe to the internal loan in virtue of a legal decision of the Council of the Debt. The Turkish Government also objects to confirming the decree of Muharrem by treaty, although it declares that it is ready to give to the Allies and to the syndicates of bondholders a formal assurance that it will keep it in force. The terms of this double assurance are at the present moment being considered, and as it has not yet been received the first paragraph of article 6 has had to be maintained in the annexed draft.

To resume, agreement has been reached between the delegations upon the subject of the Ottoman Public Debt except as regards the following points:—

1. The date at which the Ottoman debt is to be calculated.
2. The railway loan.
3. The date from which is to run the payment of the annuities resulting from the apportionment consequent upon the war of 1914.
4. Re-constitution of the Tripoli Reserve Fund.
5. Confirmation of the decree of Muharrem.

War Damage.

The Turkish Government admits the principle of indemnification for war damage suffered in the Ottoman Empire by nationals of the Allied Governments other than Greece, and also the conditions on which the indemnities shall be determined and paid. The whole question is governed by articles 3, 5, 6 and 7 and the annex of the annexed draft (Sub-Annex (B)).

Nevertheless, certain differences of opinion still remain. They relate to the following points :—

1. The Turkish delegation refused to consider that the proposed arrangement governs the claims referred to in article 1 in the passage beginning with the words "including the claims."
2. Turkey does not accept article 2.
3. The Turkish Government will not assume the whole amount of the war claims. It demands, as it did in the case of the war debt, that war claims should be apportioned among all the States which belonged to the Ottoman Empire at the time of the declaration of war.
4. The Turkish Government also claims that the Allies should indemnify Ottoman subjects for losses caused by the Allied armies.
5. The Turkish delegation objects to granting diplomatic privileges to members of the Liquidation Commission.

The Allied delegations have been unable to concede these five points to the Turkish delegation.

The Allied Powers proposed that Greece and Turkey should reciprocally renounce all claims for reimbursement of military expenditure and for losses caused by the war to their nationals. The Turkish Government consents not to demand the repayment of military expenses, but it maintains the rights of its nationals to payment by Greece for war losses. The Turkish delegation estimates these losses at 4 milliards of gold francs. The Greek delegation replied by counter-claims of a total exceeding 5 milliards. These counter-claims were explained by M. Veniselos in a letter of the 20th December, which was distributed to the conference.

Various Financial Clauses.

Certain special financial clauses were submitted to the Turkish delegation. The text is annexed (Sub-Annex (C)).

The first clause was accepted by the Turkish delegation except for the last words : "and of the Civil List." The Turkish delegation considers the property of the Civil List as private property. The Allied delegations take their stand upon facts and regard it as property withdrawn from the national domain and consider that it should be treated as such.

The Turkish delegation does not admit the second clause.

The Turkish delegation also objects to the fifth and sixth clauses.

The objection regarding the fifth clause refers to the second paragraph. The Turkish delegation claims that the amounts of the pensions paid exceed the amounts retained, and that, consequently, Turkey has nothing to repay on account of amounts retained for pensions for which she will no longer be answerable.

The sixth clause appears in several texts submitted to the conference. It is of primary importance, and the Allied delegations could not abandon it in respect of financial affairs any more than in respect of other matters.

Sub-Annex (A) to Annex (B).

Ottoman Public Debt (*January* 6, 1923).

ARTICLE 1.

STATES of the Balkan Peninsula and the newly-created States in Asia, in favour of whom territory has been detached from Turkey, either after the Balkan wars of 1912–13 or under the present treaty, shall participate, under the conditions laid down in this part, in the annual charge for the service of the Ottoman Public Debt, as defined in the first part of the table annexed.

These States shall, within three months from the date on which they are notified under article 5 of the share of the above annual charge allotted to them respectively, give to the Council of the Debt adequate guarantees for the payment of such share.

In the case of any failure to give such guarantees within the above period, and in the case of any disagreement as to the sufficiency of the guarantees and method of payment proposed, it shall be open to any of the Governments concerned and the Council of the Debt (which shall for this purpose be authorised to act on behalf of all the holders of the Ottoman Public Debt, as defined in the annexed table) to appeal to the Council of the League of Nations.

The Council of the League of Nations shall be empowered to entrust the collection of the revenues assigned as a guarantee to any international financial organisations already existing in the countries concerned. The decisions of the Council of the League of Nations shall be final.

From the dates laid down by article 6 Turkey shall no longer be held responsible for the shares assigned to other States.

ARTICLE 2.

Turkey shall, within the period laid down by article 1, arrange with the Council of the Debt to supplement, if necessary, the present assigned revenues in such a manner as to ensure the payment in full of the share of the annuity for which she remains responsible.

ARTICLE 3.

The distribution of the annual charge referred to in article 1 shall be effected in the following manner :—

1. Annuities arising from loans prior to the 17th October, 1912, shall be distributed between Turkey and the Balkan States in favour of whom territory was detached from Turkey after the Balkan wars of 1912–13, on the basis of the territorial changes which have occurred under the treaties made at the conclusion of those wars or under subsequent treaties.
2. The residue of the annuities for which Turkey remains liable after the first distribution, together with the annuities arising from loans contracted by Turkey between the 17th October, 1912, and the 1st November, 1914, shall be distributed between Turkey and the Balkan States and the newly-created States in Asia in whose favour territory is detached from Turkey under the present Treaty.

Article 4.

The amount of the annuity to be paid by each of the Governments concerned shall bear the same proportion to the sum required for the total service of the Ottoman Public Debt as the average revenue from the transferred territory bore to the average revenue from the whole of Turkey over the financial years 1910–11 and 1911–12. The yield of the customs surtax imposed in 1907 shall be included in each case.

Article 5.

The Council of the Ottoman Public Debt shall, not more than three months after the coming into force of the present treaty, determine, on the basis laid down in the preceding article, the amounts of the annuities payable by each of the Governments concerned, and shall notify those Governments of such amounts.

The States concerned shall be entitled to send to Constantinople delegates to check the calculations by which the Council of the Ottoman Public Debt will determine the amount of the annuities for which these States are to be liable.

The Council of the Debt shall fulfil the functions provided for in article 134 of the Treaty of Peace with Bulgaria of the 27th November, 1919.

Any disputes arising in respect of the provisions of this article between the parties concerned shall be referred within three months from the date of the notification referred to in the first paragraph to the Council of the League of Nations and shall be decided by an arbitrator appointed by the council. Such reference shall not delay the execution of this article.

Article 6.

The annuities due from States which have annexed territories detached from Turkey will, in the case of territories detached from Turkey after the Balkan wars of 1912–13, be payable as from the date of the coming into force of the treaties which sanctioned the annexation of the respective territories to the Balkan States. In the case of territories detached under the present treaty, they will be payable from the 1st March, 1920.

The annuities shall continue to be payable (except as provided by article 10) until the final liquidation of the debt to which they relate. They shall, however, be proportionately reduced as the loans constituting the debt are extinguished on the dates specified in the contracts referred to in column 3 of the annexed Table.

The Treasury Bonds of 1911, 1912 and 1913, referred to in that Table, shall be deemed to be repayable with interest ten years later than the dates set forth in column 8.

ARTICLE 7.

The Turkish Government shall concert with the Council of the Debt in regard to the steps to be taken to make up any deficiencies in the amount required for the arrears of the coupons of the Ottoman Public Debt, due regard being had to the arrangements which are to be made between the Council of the Debt and the Governments referred to in article 1 for the discharge of the annuities which had not been paid at the date of the coming into force of the present treaty. The amounts due in respect of these annuities shall be paid without interest within twenty years from the coming into force of the present treaty.

ARTICLE 8.

The Turkish Government recognises as a liability due by it to the Council of the Debt a sum equal to the amount of any revenues hereto affected to the service of the Ottoman Public Debt within the territories remaining Turkish, which should have been but have not been paid to the Council of the Debt, except where such territories have been in the military occupation of Allied forces, and for the time of such occupation. The Turkish Government shall concert with the Council of the Debt in regard to the method of payment of this sum.

ARTICLE 9.

Any of the Governments which under the present treaty are to contribute to the annual charge for the service of the Ottoman Public Debt may, upon giving six months' notice to the Council of the Debt, redeem, either in whole or in part, such obligation by payment of a sum representing the value of such contribution, or a part thereof, capitalised at such rate of interest and on such terms as may be agreed between the Government concerned and the Council of the Debt.

The Council of the Debt shall not have the power to require such redemption.

ARTICLE 10.

The Turkish Government shall reconstitute the Tripoli reserve fund as it existed on the 1st November, 1914.

ARTICLE 11.

The decree of Mouharrem and the decrees of the 14th September, 1903, and the 24th May/4th June, 1911, annexed thereto, as well as the decrees relating to the loan contracts prior to the 1st November, 1914, including those enumerated in Annex I of this part, are confirmed.

The Turkish Government agrees to carry out, so far as it is concerned, the provisions of article 258 of the Treaty of Peace with Germany and the corresponding provisions in the Treaties of Peace with Austria and Hungary, in accordance with which those countries have renounced all right to be represented on or take part in all organisations and commissions of financial or economic control or administration in Turkey.

Sub-Sub-Annex to Sub-Annex (A).

The Ottoman Pre-War Public Debt (*November* 1, 1914).

Part i.—Table of Ottoman pre-war Public Debt. (See p. 667.)
Part ii.—Table of municipal loans guaranteed by Turkish Government. [Not printed.]
Part iii.—Explanatory note. (See p. 668.)

Sub-Annex (B) to Annex (B).

Clauses regarding the Repayment of the Expenses of Military Occupation and the Payment of War Damage (*January* 6, 1923).

Article 1.

The High Contracting Parties accept the following provisions for the final settlement of the pecuniary claims which they have to make against one another in respect of events occurring between the 1st August, 1914, and the entry into force of the present treaty, including the claims which, while primarily concerning Turkish or Allied nationals, would ultimately entail a direct or indirect payment from Government to Government.

Article 2.

Turkey undertakes to pay the sum of 30 million Turkish gold pounds as payment of the expenses of the British, French and Italian armies of occupation from the 30th October, 1918, up to the coming into force of the present treaty.

The sums of gold surrendered by Germany and Austria under article 259 (1) of the treaty with Germany and article 210 (1) of the treaty with Austria will be utilised for the payment of the expenses of occupation. The amount will be deducted from the sum referred to in the preceding paragraph.

The Council of the Ottoman Public Debt is freed of responsibility for payment of the amounts which were guaranteed by these sums.

Article 3.

Turkey undertakes to indemnify the nationals of the Allied Powers other than Greece for losses and damage which they have suffered in their persons or property as a result of acts of war or of any act or omission of the Turkish Government, including the measures referred to in articles (Economic clauses), during the period included between the 1st August, 1914, and the coming into force of the present treaty in territories which were Ottoman on the 1st August, 1914.

For the purposes of the present article the term "national of the Allied Powers" is defined in article of the present treaty (Economic clauses).

Within a year from the coming into force of the present treaty, the said nationals shall present their claims with documentary evidence to a mixed arbitral tribunal composed of a neutral president appointed by mutual agreement, a Turkish arbitrator and an arbitrator appointed by the Allied Power concerned. In case of disagreement, a neutral president shall be appointed by the International Court at The Hague.

This tribunal shall adjudicate upon the admissibility of the petitions and in case of need shall determine in Turkish gold pounds the amount of the compensation or indemnities to which the claimant is entitled.

Nevertheless, Turkey shall not be obliged to make good damages resulting from acts of war or exceptional war measures, from measures for which the Greek armies or administrations were responsible in Ottoman territory occupied by those armies or administrations after the 30th October, 1918.

Consequently, if the Turkish Government declares that the Greek Government is responsible for compensation or indemnities claimed by an Allied national, it shall notify the mixed arbitral tribunal within three months from the receipt of the claim. The claim shall immediately be referred to a mixed Græco-Turkish tribunal, composed of a neutral president, a Hellenic arbitrator and a Turkish arbitrator, in order that it may determine the respective responsibilities of the Turkish Government and the Greek Government or their joint responsibility.

If the mixed Græco-Turkish tribunal holds the Turkish Government responsible for all or part of the damages and losses mentioned in the claim, the claim shall be returned to the mixed arbitral tribunal referred in paragraph 3 of the present article.

The High Contracting Parties undertake to consider the decisions of the two tribunals mentioned in the present article as final and without appeal and to provide for their execution in their territory as soon as they shall have received notice of the verdicts and without it being necessary to have them declared executory.

Article 4.

Greece and Turkey mutually renounce all claims to payment of military expenses and for damage caused to their nationals.

Article 5.

A commission called "the Liquidation Commission" shall be established in Constantinople.

The commission shall be composed of four members appointed respectively by the French, British, Italian and Turkish Governments.

The Liquidation Commission shall be dissolved as soon as the Turkish obligations referred to in articles of the present treaty shall have been completely fulfilled.

The procedure of the commission shall be regulated by the attached annex.

ARTICLE 6.

The Turkish Government shall discharge the obligations imposed upon it by article by handing to the Liquidation Commission bonds for amounts stated in Turkish gold pounds, which shall be called liquidation bonds.

Liquidation bonds shall bear interest at the rate of 5 per cent. per annum, and the Turkish Government shall in addition pay 1 per cent. per annum sinking fund. In order to assure the interest and sinking fund of these bonds the Turkish Government shall pay to the Liquidation Commission thirty-seven annuities, each representing 6 per cent. of the total amount of the bonds in circulation.

The bonds delivered by the Turkish Government to the Liquidation Commission shall be handed by the Commission to the Allied Governments concerned. The Turkish Government shall be deemed to have discharged its liability by an amount equal to the nominal value of the bonds.

The commission shall be entitled at any moment, if it considers it advantageous, to negotiate on behalf of the bondholders, and at their request, any bonds which may have been attributed to them.

The Turkish Government shall be entitled at any time to pay off at par the bonds outstanding, by notifying the Liquidation Commission six months in advance, or to pay off a part of them on the same conditions (the bonds to be paid off shall be chosen by lot). The Turkish Government shall also be entitled to purchase liquidation bonds from the holders upon conditions to be agreed upon between such holders and the Turkish Government. The bonds so purchased shall be presented to the Liquidation Commission for cancellation.

The liquidation bonds shall be free of all taxes and charges established or to be established in Turkey.

ARTICLE 7.

The Turkish Government shall irrevocably assign sufficient revenues to assure the payment of the annuities required for the service of the liquidation bonds. The revenues given as security must be accepted by the Liquidation Commission, and must during the two previous years have given an average yield of 15 per cent. in excess of the annuities which they are to guarantee. These assignments shall be made in instalments of 3 million Turkish gold pounds each, prior to the issue of the bonds.

These revenues shall be administered by the Council of the Ottoman Public Debt.

The assigned revenues shall in any case include the proceeds of existing or future concessions.

The Turkish Government undertakes in the event of the revenues referred to in the first paragraph of the present article proving insufficient, to meet the deficit by assigning new revenues.

The Turkish Government will submit to the Liquidation Commission for their advice, before promulgation, agreements for new concessions or for the prolongation of existing concessions, whether in favour of Turkish subjects or of any other persons.

In order that the commission may be able to fulfil its task with full knowledge of the circumstances, the Turkish Government will give to the Liquidation Commission and its representative all facilities necessary for the accomplishment of its task with the Government departments concerned.

Sub-Sub-Annex to Sub-Annex (B).

I. The Liquidation Commission shall establish its own rules and procedure. Each member shall have the right of appointing a substitute to replace him during his absence.

The commission shall be presided over in turn by representatives of France, Great Britain, Italy and Turkey, each of whom will hold the presidency for a period of two years.

II. Decisions will be taken by a majority. Abstention will be considered as a vote against the proposal under discussion.

III. The commission will appoint such agents and employees as it considers necessary for its work.

IV. The expenses of the commission which are payable by Turkey shall be charged against the revenues collected by the commission. The salaries of members of the commission shall be fixed at a reasonable rate and revised from time to time by agreement between the Governments represented on the commission.

V. Members of the commission shall be responsible only to the Government by which they are appointed, for all acts or omissions arising from their duties. No Government accepts responsibility for any other Government.

VI. The members of the commission shall have all the rights and privileges which are granted to the duly accredited diplomatic representatives of friendly Powers.

Sub-Annex (C) to Annex (B).

Financial Provisions, Miscellaneous Clauses (January 6, 1923).

1.

States in whose favour territory is detached from Turkey shall acquire without payment all property and possessions situated therein registered in the name of the Ottoman Empire or of the Civil List.

2.

Any hypothecation of Turkish revenues effected between the 1st August, 1914, and the 30th October, 1918, in respect of obligations (including the internal loan) contracted by the Turkish Government during this period are annulled.

3.

Turkey recognises the transfer of any claims which Germany, Austria, Bulgaria or Hungary may have against her in accordance with article 261 of the Treaty of Peace concluded at Versailles on the 28th June, 1919 with Germany, and the corresponding articles of the Treaties of Peace with Austria, Bulgaria and Hungary. The Allied Powers agree not to require from Turkey any payment in respect of claims so transferred.

4.

The Turkish Government in agreement with the other contracting Powers hereby releases the German Government from the obligations incurred by it during the war to accept Turkish Government currency notes at a specified rate of exchange in payment for goods to be exported to Turkey from Germany after the war.

5.

The recipients of Turkish civil and military pensions who acquire under the present treaty the nationality of a State other than Turkey, shall have no claim against the Turkish Government in respect of their pensions.

Agreement shall be made between Turkey and the States of which the recipients have become nationals in order to arrange for the apportionment of the pension funds formed out of the payments of the persons concerned.

6.

The Turkish Government confirms the validity and will ensure the execution of all contracts and settlements concluded before the 1st November, 1922, between the Turkish Government on the one hand, the Administration of the Debt, Allied nationals and Ottoman societies in which Allied interests predominate on the other in respect of advances and distributions of profits made to the Turkish Government and of the service of the Ottoman Public Debt.

ANNEX (C) TO NO. 37.

Observations of the Greek Delegation upon the Apportionment of the Ottoman Public Debt.

I.

The principle that States which annexed territory should participate in the financial obligations of the State to which the annexed territory belonged is not universally accepted. On the contrary, it is to be remarked that during the fifty years which preceded the Great War this principle was not applied in international practice. Nevertheless Greece has declared that in spite of her greatly embarrassed financial situation (reflected for example in the depreciation of the Gerek drachma, which has now only about a twentieth of its pre-war value and continues to depreciate), she does not refuse in principle to assume a portion of the public debts of the Ottoman Empire. She has only demanded that the measure of her participation should be fixed in accordance with the principles of justice and equity.

From official Turkish publications it appears that the fiscal receipts in the territories attributed to Greece as a result of the Balkan wars and of the great war were far from covering the expenses which these territories caused to the Turkish administration. The balance was always represented by a considerable deficit in the Ottoman budget. It cannot be hoped that, after their separation from a vast hinterland, the condition of these territories will improve in the near future in the face of a world-wide economic crisis, and, particularly, of the crisis through which Greece is now passing. It is therefore just and equitable that Greece should be treated with due consideration in the estimation of her share of the Turkish debts.

II.

Nevertheless the proposals made to the financial sub-commission by the inviting Powers contemplate :—

1. Making Greece participate in debts contracted by Turkey for the construction of railways in the interior of Asia, such as the Turkish loans of £T. 12,364,000 for the Bagdad Railway, £T. 1,712,304 for the Soma–Panderma Railway, and £T. 1,000,010 for the Hodeida–Sanaa Railway.
2. Excluding, on the other hand, from the schedule of the debts which are to be apportioned between the succession States, the kilometric guarantee for the exploitation of the Salonica–Constantinople Junction Railway, which was borne on the Ottoman budget until 1912 and which from that year has, by reason of the attribution to Greece of the territory upon which the line lies, been entirely assumed by the Greek Government.

The Greek delegation considers that it would be contrary to justice if, while leaving the kilometric guarantee of the Salonica–

Constantinople Junction Railway to be borne entirely by Greece, the Greek Government were invited at the same time to contribute to the service of debts contracted for the construction of railways in the interior of Asia. Greece persists in maintaining the view to which she gave verbal expression in the sub-commission, that is to say, that one of the two following courses of procedure should be chosen :—

1. All the charges relative to railways which were borne in the Ottoman budget should be entered in the general schedule of Ottoman debts which are to be apportioned. Consequently the kilometric guarantee paid by this Government for the Salonica–Constantinople Junction Railway should also be entered in the schedule. In this case, as Greece is already entirely responsible for the payment of the guarantee of £T. 235,000 (see Section III below), her contribution should be appreciably reduced.

   Or else :—

2. All debts arising from the construction of railways or similar works in territories which do not fall to Greece, whether these territories remain Turkish or are attributed to other States under the present treaty, should be eliminated from the schedule of the apportionment of the debt.

The delegates of the inviting Powers recognised the justice of the Greek delegation's arguments, and in the draft clause of the 8th December, 1922, regarding railway loans, they made the following proposal :—

> "The annuities of loans contracted by the Ottoman Government direct before the 1st November, 1914, with a view to the construction of railways exploited at the present date, and secured in any way whatsoever on the profit of these railways, shall, as from . . . . , be assumed by the States in whose territories the said railways lie in consequence of the present treaty."

By virtue of this clause the bonds of the Bagdad, the Soma–Panderma and the Hodeida–Sanna Railways should be eliminated from the schedule of the debts which are to be apportioned. But at the sub-commission's sitting of the 5th January, 1923, the delegations of the inviting Powers went back on their own proposal.

III.

Before approaching an examination of the question, the Greek delegation thinks it desirable to recall the following facts :—

The Salonica–Constantinople Junction Railway, an Ottoman company, in 1893 entered into an agreement with the Ottoman Government for the construction of the line. Under article 31 of the concession convention the Ottoman Government undertook to "guarantee to the concessionnaires an annual gross revenue of 15,500 fr. per kilometre constructed and exploited." In accordance with this obligation the Turkish Government used to pay to the concessionnaires an average annual sum of about £T. 200,000. By calculating the average according to the usual method of taking the mean of the results of the five last years, the following figures are obtained :—

	£T.
1906 contribution of the Turkish Government...	239,800
1907 contribution of the Turkish Government...	242,506
1908 contribution of the Turkish Government...	221,986
1909 contribution of the Turkish Government...	209,385
1910 contribution of the Turkish Government...	158,323

These figures give an annual average of £T. 235,000.

(The sum paid for the year 1911 is unknown. The year 1912 is no criterion, because of the Balkan wars.)

Thus the sum of £T. 235,000 was an annual debt of the Ottoman Empire, which Greece assumed in its entirety, thus relieving the Ottoman Treasury of its payment.

IV.

Objection has been raised to the Greek proposal on the ground that it is impossible to apportion the debts of a private company, the Ottoman Public Debt alone being subject to such apportionment. In the first place, it is to be remarked that there is no question of debts contracted by the company which constructed the line. The charges under discussion are those which fell to the Turkish Government in respect of the line. Further, the public debt of a State is not represented, like private debts, by a balance-sheet showing assets and liabilities. It appears in the form of annual payments inscribed in the State budget. Before the Balkan wars, the Turkish budget bore an annual payment of about £T. 250,000 for the Salonica–Constantinople Junction Railway. Turkey was relieved of this debt and Greece assumed it. The fact that Greece, in agreement with the company, paid the debt off altogether in no way modifies the juridical and economic aspect of the question. The fact remains that Greece has paid off a debt which was borne on the Ottoman budget and which dates from before the Balkan wars. She is therefore entitled to demand that this debt should also be included in the schedule of debts to be apportioned and that her share should be proportionately reduced. Furthermore, the Bagdad loan itself was only contracted with a view to the redemption of a large part of the kilometric guarantee of the Bagdad Railway.

A further objection which has been raised is that other loans raised by the Turkish Government may, like the Bagdad Railway loan, also have been devoted to special purposes, and that, in view of the difficulty of determining where and how each loan has been used, it is more convenient to include them all, even those whose special purpose is clear, in the schedule of the debt which is to be apportioned, and to call upon the succession States to discharge them. This is much the same as if a judge who had to decide whether ten different articles belonged to one person, and who had proofs for seven of them, refused to award the three others to the party whose proof of ownership was nevertheless beyond all doubt.

V.

The Albanian delegation maintains that the succession States should not bear debts of the empire which were devoted to the construction of lines lying outside the territory attributed to them. The Greek delegation having in the first instance stipulated for the inclusion in the schedule of all the obligations in the Turkish budget which relate to railways, nevertheless, does not wish to insist upon the adoption of this procedure to the exclusion of any other course, but declares its readiness to accept the Albanian proposal, which, moreover, is in accord with the opinion recently expressed by authoritative jurists (Jèze : The distribution of public debts in case of dismemberment, &c., page 21 : "A debt contracted for the constitution of the domain, railways, &c., passes to the annexing State in the measure in which it acquires the assets—*res transit cum suo onere*").

From the foregoing it is clear that the solution put forward by the delegations of the inviting Powers is not in accord with justice or equity. and that the Greek delegation could not therefore accept it. It would, in fact, mean overburdening the already overwhelmed finances of the kingdom, which would be contrary to all justice. Greece is obliged to reject all unjust burdens which might further prejudice the already precarious position of her own creditors. It is her duty to defend their interests as much as her own.

Nevertheless, the Greek delegation in no way desires to make this question an obstacle to the signature of peace.

1. As the dispute set forth above, in so far as concerns Greece, does not refer to any of the questions resulting from the Great War which the present negotiations are designed to terminate, but concerns effects of the Balkan wars, regarding which special treaties have been concluded;

2. As it is a financial dispute in which the interests of Turkey, the succession States and the inviting Powers conflict, the latter being at the same time responsible for the defence of the bondholders' interests.

3. As in these circumstances public opinion in Greece might be unfavourably impressed by any decision taken by the great Powers who might in this event be thought to be both judges and parties in the same case :

The Greek delegation thinks it just and advantageous to propose that, in the event of its own view failing to secure acceptance, this dispute should, by agreement among the contracting parties, be referred to the Permanent International Court of Justice.

Lausanne, January 10, 1923.

P.S.—The Greek delegation has just received the report addressed by the President of the First Sub-Commission to the Third Commission.

This report states that the Greek delegation has demanded that the schedule of debts to be apportioned should include the loans of the railawy companies, such as that of the Salonica–Constantinople Railway Company.

The Greek delegation desires to observe that it in no way claims to include railway companies' loans in the apportionment. It merely demands that the annuities in the schedule (since it is the annuities and not the capital which is to be apportioned) should include the kilometric guarantees which the Ottoman Government undertook to pay to the railway companies.

This demand is based upon the consideration that there is no difference between the Turkish obligation to pay a kilometric guarantee and the annuity of a loan of the Ottoman Empire. The kilometric guarantee and the annuity are both intended to secure the interests of the bondholders. The obligation of the Turkish Government with regard to the bondholders is in fact the same in both cases, with the single distinction that in the first case it appears as a kilometric guarantee, and that in the second it takes the form of an annuity. The annuity and the kilometric guarantee would be equally serviceable and might even be employed together for the exploitation of a railway. Such is the case with the Bagdad Railway. Under article 35 of the Bagdad Railway Convention the Turkish Government is obliged to pay a kilometric guarantee of an annual sum of 15,500 fr. per kilometre exploited. Part of this guarantee, that is to say, 11,000 fr., was capitalised and converted into an annuity, so that the Ottoman Government's annual contribution of 15,500 fr., instead of being paid entirely as a kilometric guarantee, was divided into two parts, 11,000 fr. being paid as an annuity, and 4,500 fr. as a kilometric guarantee. The 11,000 fr. is shown on the schedule proposed by the inviting Powers. It is nothing but a kilometric guarantee converted into an annuity.

Note.—The attached sub-annex shows parts of article 35 of the convention for the concession of the Bagdad Railway and article 31 of the concession for the Salonica–Constantinople Junction Railway, which are referred to above.

Sub-Annex to Annex (C).

Convention for the Construction and Exploitation of the Bagdad Railway, dated March 5, 1903.

ARTICLE 35.

The Imperial Ottoman Government guarantees to the concessionary a fixed annual contribution of 11,000 fr. per constructed and exploited kilometre of the line. Similarly, the Government guarantees, for the cost of exploitation, 4,500 fr. annually per kilometre exploited.

Instead of the above-mentioned guarantee of 11,000 fr. per kilometre, the Imperial Ottoman Government will conclude a loan at 4 per cent. with 0·087538 amortisation redeemable in any case by the expiration of the present convention.

In consequence, the concessionary will be entitled to a bond of 269110·65 fr. per kilometre exploited.

Convention for the Construction and Exploitation of the Salonica–Constantinople Junction Railway, dated October 8, 1892.

ARTICLE 31.

The Imperial Government guarantees to the concessionary an annual gross revenue of 15,500 fr. per kilometre constructed and exploited on the principal line and on the branches which are to be constructed to Dedeagatch and Salonica. If the working receipts prove insufficient the following procedure shall be adopted to make up the said figure of 15,500 fr. of annual gross revenue per kilometre of line constructed and exploited.

No. 38.

ECONOMIC AND FINANCIAL COMMISSION.

Minutes of the Fifth Meeting, January* 27, 1923, *under the presidency of M. Bompard.*

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.
Sir Horace Rumbold.

FRANCE.

M. Bompard.

ITALY.

Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.

Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.

Baron Hayashi.
Mr. Otchiai.

GREECE.

M. Veniselos.
M. Caclamanos.

ROUMANIA.

M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Rakitch.

BELGIUM.

Baron Moncheur.

ALBANIA.

M. Frasheri.

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* These minutes do not represent the signed versions of speeches other than the British.

TURKEY.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

BRITISH EMPIRE.

Sir Eyre Crowe.
Sir Adam Block.
Mr. Ryan.
Mr. Payne.
Mr. Forbes Adam.
Dr. Clemow.
Mr. Leeper.
Mr. Waley.
Mr. McClure.

FRANCE.

M. Serruys.
M. Laporte.
M. Bargeton.
M. Des Closières.
M. de Percin.
M. Sanguinetti.

ITALY.

M. Nogara.
M. Arlotta.
M. Guariglia.
M. Salem.
M. Senni.

JAPAN.

Mr. Sato.
Mr. Tani.
Mr. Koshida.

ROUMANIA.

M. Contzesco.

UNITED STATES OF AMERICA.

Mr. Gillespie.
Mr. Amory.

GREECE.

M. Michalakopoulos.
General Mazarakis.
M. Dendramis.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Milanovitch.

TURKEY.

Munir Bey.
Moukhtar Bey.
Mustapha Sherif Bey.
Zekiai Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.

Mr. Spring Rice.
Mr. Wicks.

ITALY.

M. Indelli.

JAPAN.

Mr. Hotta.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

M. Georgevitch.

FRANCE.

M. Lagarde.

UNITED STATES OF AMERICA.

Mr. Belin.

BELGIUM.

M. Paternotte.

TURKEY.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

M. Bompard said that the Economic and Financial Commission had met to take note of the agreements and also, unfortunately, of the differences between the delegations of the inviting Powers and the Turkish delegation.

The Sanitary Sub-Commission's report of the 18th January, 1923 (Annex (A)) was laid before the commission.

M. Bompard read the following statement by the President of the Sanitary Sub-Commission, M. Barrère, who was prevented by his departure from Lausanne from taking part in the work of the commission :—

"Dr. Clemow's report describes in detail and with great precision the negotiations which have taken place at five meetings between the Allied experts and Riza Nour and Nihad Rechad Beys of the Turkish delegation.

"The Technical Sub-Commission has endeavoured to reach an agreement upon the following questions :—

"1. The constitution of an international body to control the sanitary defence of the Straits and of the Turkish coasts for a few years in concert with the Turkish Administration, in order to set up again the sanitary service which was disorganised by the war, and to make easy the transition from the pre-war sanitary régime to the assumption by the Turkish Administration of complete control of the whole sanitary system.

"2. The regularisation of the position of the employees of the old Constantinople Superior Sanitary Council, of the pensions and grants service and of the disposal of the reserve fund of the council.

"3. Superintendence of the Jerusalem and the Hedjaz pilgrimages.

"4. Adhesion of Turkey to the International Sanitary Convention of the 17th January, 1912.

"In the end agreement has been reached upon all these points except the most important, the first.

"A commission, consisting of delegates of all countries which were represented on the Constantinople Superior Council of Health, will finally settle the disposal of the funds which belonged to the old Constantinople Superior Council of Health. It will settle the rights of the council's employees and all the details of the transition from the old to the new sanitary régime.

"A Pilgrimages Sanitary Co-ordination Commission will be created by the countries concerned. It will bring into harmony the various measures taken in these countries and will endeavour to simplify them and make them more effective.

"Finally, Turkey undertakes to ratify the Sanitary Convention of the 17th January, 1912, of which she is a signatory, except for certain reservations as regards articles 54, 88 and 90, which in no way relate to the principles underlying the convention.

"Unfortunately, the Turkish delegation has not accepted the Allied proposal for the creation, for five years only, of a sanitary council, composed of four doctors, of whom the president should be a Turk and the other three should belong to different nationalities and be chosen by the Turkish Government from a list drawn up by the League of Nations Hygiene Committee and by the International Office of Public Health. The functions of this committee would be limited to the control of the sanitary service of the Straits.

"I believe that an agreement will in the end be reached upon a proposal which is so reasonable and indeed represents the minimum which the sanitary authorities are justified in demanding in order to defend public health against the scourges by which it is permanently threatened. It is only thanks to the close understanding which exists between them and which has been embodied in international conventions loyally carried out that they have been able to protect Europe from serious epidemics. It is in reality a question of saving hundreds of thousands of human lives. It would be deplorable if the health of the world were to be imperilled by this unexpected disagreement."

Sir H. Rumbold said that the British delegation supported M. Barrère's statement. He thought it very important that public opinion should realise the seriousness of this question, and that it should take note of the Turkish delegation's opposition to the creation of a health sanitary committee. The Constantinople Superior Sanitary Council had been in existence for more than seventy-five years. It had rendered great services to all the Mediterranean countries. Two institutions—the League of Nations and the International Office of Public Health—were at that moment directing their efforts towards preventing contagious diseases from spreading from Russia to the west. The British Government in particular had endeavoured to make a sanitary cordon in order to defend its territory against an invasion of epidemics. Theoretically this cordon should reach from the Baltic to the Black Sea. The Straits Sanitary Committee which the inviting Powers wished to create would be a prolongation of this cordon which isolated Eastern Europe. It was desirable that the sanitary defence of the Straits should be as complete as that of the Suez Canal. The Allied Governments had gone to the extreme limit of concession in proposing the creation of a sanitary committee for five years. The Turkish delegation had rejected the proposal on the ground that it was of a kind to impair Turkey's sovereignty and independence. It had reiterated the arguments which it had used in respect of the definition of the judicial régime for foreigners residing in Turkey. Furthermore, it had insisted that Turkish doctors were as competent as the doctors of Western European countries. For all these arguments the Allied Powers had made allowance enough by reducing the period during which the Straits Sanitary Committee was to function from fifteen to ten, and finally to five, years. It was precisely in order to allow of the Turkish medical personnel proving its competence that the inviting Powers had devised this extremely brief transitory régime.

Sir H. Rumbold emphasised the enormous importance of the sanitary defence of the Straits. Epidemics were ravaging Russia and Caucasia. Crowds of pilgrims, who might propagate the epidemics, passed through the Straits. It was incredible that the Turkish delegation should reject that extremely moderate proposal. The public opinion of the world would be struck by the substantial concessions of the Allied delegations and contrast them with the obstinacy of the Turkish Government. It appeared unable to realise the enormous interest taken by Europe in the question.

If the Turkish delegation persisted in its attitude, it was certain that it would be incurring a heavy responsibility towards the world.

M. BOMPARD asked the Turkish delegation whether, after hearing Sir H. Rumbold's exhortation, it was ready to withdraw its reservations as regards article 1 and article 2 of the sanitary clauses.

ISMET PASHA spoke as follows:—

"A serious cholera epidemic which reached Constantinople from India in 1819 prompted Turkey to take sanitary measures on her frontiers and to start the organisation of a sanitary service.

"But as the European Powers refused to allow their ships to be inspected unless their right to take part in sanitary affairs and sanitary control in Turkey were recognised, Turkey was obliged to accept the demands of Europe in order to be able to apply the humanitarian measures which every Government is bound to take. Thus it was that the sanitary Capitulations were set up in the Ottoman Empire.

"This international organisation, which was established as I have described, did not work well. Many individuals who were unacquainted with medical science had filled the places which should have been held by doctors, and their number was great, as well as the expenses which they involved. Further, the methods applied and the measures taken by the administration were always old-fashioned and in no way in harmony with the progress of medical science. The defects of the service have been pointed out in a report published by the League of Nations Health Office, as well as in other documents emanating from foreign sources.

"The arguments advanced by the Allied Powers to justify the necessity of the sanitary Capitulations, which to-day are called 'the transitory régime' and the 'sanitary collaboration of Europe,' are the following:—

"1. Plagues originate in the East.
"2. Pilgrimage spreads these diseases.
"3. Constantinople is the gateway of Europe.
"4. Turkey needs European sanitary personnel.

"These arguments are unfounded, for—

"1. Plagues originate only in India, Egypt, the Hedjaz and at Basra. No responsibility therefore can fall on Turkey in this connection.

"2. The large majority of the pilgrims come viâ Bab-el-Mandeb, the Red Sea and the Suez Canal. As regards the pilgrims from Russia, it is more natural to submit them to sanitary measures at Batoum than at Constantinople, for by this means Turkey would be protected as well as Europe.

"3. It is illogical to subject Turkey to an international administration on the pretext that Constantinople is the gateway of Europe, for in reality the most important gateways of Europe are Mediterranean ports, such as Marseilles and Genoa, and these ports are in direct touch with the Suez Canal, which is itself the gateway through which plagues are introduced.

"4. Turkey possesses an excellent sanitary personnel. She also has a medical faculty of almost one hundred years' standing, which has so progressed, especially during the last quarter of a century, that it is, as has indeed been proved by experience, without any doubt the equal of similar faculties in Europe. Turkey has also first-class hospitals, laboratories and doctors who, after having studied at Constantinople, have also worked in different faculties and hospitals in Europe. Moreover, the Constantinople Superior Council itself used to employ in a large measure sera prepared in Turkish laboratories for use against plague and cholera.

"Turkey may therefore be proud of her sanitary institutions and of her doctors.

"The above considerations show that a foreign sanitary institution at Constantinople would be useless.

"Possessing as she does a perfected sanitary organisation, Turkey considers that the sanitary Capitulations are particularly painful to her.

"The Turkish delegation has, in accordance with the fourth draft proposal of the Sanitary Sub-Commission, accepted the International Commission for taking sanitary measures regarding pilgrims. It has adhered to all the international conventions regarding sanitary affairs. Thus it has given ample proof of its goodwill. On the other hand, since abolishing the Capitulations, Turkey has carried out in a most perfect manner and with an exclusively Turkish personnel the duties of the sanitary service at Constantinople. Thereby she has proved that she is capable of conducting this service exclusively with her own resources.

"But in these circumstances it would be unjust to propose the constitution of a 'Sanitary Committee of the Straits,' which, whatever form it might assume, would amount to intervention in Turkish internal affairs.

"The Turkish delegation accepts all the proposals of the Allied delegation except those which concern this committee.

"The Turkish delegation had made reservations as to the Opium Convention in order to have time to study the matter. The Turkish delegation is happy to state that it also adheres to this convention. It sincerely hopes that the Allied delegations will on their part abandon their proposal regarding the Straits Sanitary Committee.

"The Turkish delegation would be happy if, in view of these considerations, the Powers would decide to abandon the proposal and thus to admit of complete agreement on this question."

M. **Bompard** said that it was clear from this statement that the Turkish delegation maintained its objection to the first article and to the first two paragraphs of article 2 of the sanitary clauses; but that it accepted the other clauses.

Draft Articles relating to Property, Rights and Interests, Contracts, Prescriptions and Judgments, Concessions, Debts, and Industrial, Literary and Artistic Property (Annex (B)) were submitted to the Commission by the British, French and Italian Delegations.

M. **Nogara** said the Economic Sub-Commission had been engaged upon a very difficult task. It had reached complete agreement upon a great number of clauses, but upon other clauses agreement had been impossible.

Ismet Pasha said that he could not conceal the Turkish delegation's surprise at the way in which the proposals had been made, for it gave him no precise idea of the Allied demands. Upon various occasions proposals had been made to the Turkish delegation which were in no way foreshadowed by previous proposals. For example among the last clauses there were absolutely new clauses of which there had hitherto never been any question either in the sub-commissions or elsewhere. Furthermore there were other proposals which had that day been presented in a totally different form to that which had been agreed upon in principle.

Ismet Pasha thought that these proposals would have been accompanied by the sub-commission's reports, but he had cognisance of no such report. He would refrain from saying openly that all possible and imaginable difficulties had been brought together almost by design in order to make a solution impossible.

M. **Nogara** shared Ismet Pasha's regret that it had not been possible to present to the commission a report on the discussions of the sub-commission. But such a task was one of particular difficulty since the prevailing disagreement regarding questions of principle made it impossible to formulate an agreed text. The sub-commission was unable to meet after the 15th January since the Turkish delegation stated during the meeting on that day that it could not accept the principles underlying the clauses proposed by the Allies regarding property, rights and interests. In spite therefore of their desire to be conciliatory it was impossible for the Allied Governments to agree to the Turkish delegation's view according to which the Allied Governments themselves were responsible for the restitution of Turkish property, rights and interests in detached territories. This essential difficulty could not be overcome, but on the other hand agreement was reached upon the other clauses. It was possible that in this respect certain questions of drafting might arise, but they would doubtless be easily disposed of.

As regards companies the Turkish delegation demanded that Turkish companies should not be assimilated to Allied companies. In a certain measure the delegations of the inviting Powers had acceded to this demand, because they had drafted a special provision for each kind of company. In doing so they had made an important concession, since they renounced the generally admitted right of a Government to protect its nationals. Nevertheless they did not feel justified in giving up the protection of limited liability companies in which Allied interests predominated on the mere pretext that such companies were Turkish. For the rest they considered that in the event of disagreement with the Turkish Government an Arbitral Commission should settle the dispute. In spite of these concessions the Turkish delegation refused the Allied proposals.

It was true that certain new provisions which were not discussed in the sub-commission figured among the clauses presented. This was because under the pressure of circumstances the Allied delegations had been obliged to propose clauses which were an indispensable complement of others. These clauses concerned in particular transactions which took place in Turkey after the armistice.

Ismet Pasha submitted the following observations upon the clauses relative to property, rights and interests :—

Article 1, *paragraph* 1.

In the first paragraph of article 1 the 1st August, 1914, should be replaced by the 29th October, 1914, which is the date when Turkey joined in the war. In the same way all the dates in the other articles of the treaty should be corrected so that the beginning of hostilities should be fixed once and for all.

Paragraph 2.

It should be specified that the Turkish properties, rights and interests the restoration of which is referred to, are not only those in territories which were before the war subject to the sovereignty of the Allied Powers, but that such restitution applies equally to Turkish property, rights and interests in territories which remain under the occupation of those Powers. Further, Greece should be specially mentioned in this paragraph.

Similarly the property of the private domain of the Turkish State as well as of the Civil List and the Crown should be mentioned among Turkish property. For according to the principles adopted by the Allied Powers in the treaties concluded with Austria and Bulgaria, and according to law, the private character of this property necessitates its return to its legal owners.

Paragraph 3.

As appears from article 1 and particularly from paragraph 3, the Allies make a categorical claim for the restoration of the property, rights and interests of their nationals and insist upon the need of indemnifying third parties for losses suffered by reason of such restitution. But in accordance with the principle accepted by the Turkish delegation it is only confiscations and losses in respect of the property, rights and interests of nationals of the two parties carried out or caused by a State, which should involve the responsibility of that State.

Consequently the parties concerned are naturally free to apply to the competent tribunals and authorities in respect of all acts and operations carried out by individuals to the prejudice of their rights. It is only necessary to modify this paragraph in such a way as to show that the States concerned may take measures to give early effect to applications for the restitution of such property.

The Turkish delegation feels bound to add that Turkey did not during the great war expel Allied nationals, but that they have continued the free exercise of their business or profession and have enjoyed the same rights as Turkish nationals in the free disposal of their property. Consequently it is unfair to hold the Turkish Government responsible for losses suffered by Allied nationals at the hands of private individuals, when it imposed no restriction upon such Allied nationals.

The Turkish delegation considers that no clauses regarding Turkish companies should be inserted in the treaty. It will explain its views in detail under article 8.

Article 2.

This article deals with the appropriate administrative measures to make possible a search for property belonging to the Allied Powers and their nationals which may have been removed by the Turkish forces or officials in the territory of one of the Allied Powers.

If this principle were accepted the Allied Powers who have for a long time occupied important parts of Turkey should also allow searches of the same nature to be made in their country and should permit articles belonging to Turkey or to Turkish nationals which had been identified, to be restored to their owners.

Consequently this article should be modified with due regard to the principle of reciprocity. Further, these searches should be limited to articles which can be identified. Cash and scrip should therefore be excluded. Otherwise the only result obtained would be to offend on a large scale against the inviolability of persons and domiciles.

Article 3.

The Turkish delegation demands that the 29th October, 1914, should be substituted for the date in the first paragraph. I also regard as superfluous the clause in the same paragraph which speaks of the acquisition of Allied nationality by the inhabitants of detached territories.

In the category of Turkish property which is to be restored, it is necessary, moreover, to include property belonging to the private domain of the Turkish State, to the Civil List and to the Crown, as well as the Hedjaz Railway. The reasons for this article are explained in article 1.

The Hedjaz Railway is an institution which belongs to the Caliphate and which was created with the money and the help of all Mussulmans. It is therefore natural that the Caliphate should own and administer it.

In order to prove the justice of its demands, the Turkish delegation wishes to record the fact that this railway was never put under the Ministry of Public Works, but that it was always an independent administration.

It is desirable to modify the third paragraph of article 2 in accordance with the similar paragraphs of article 1. That is to say, it will be enough to state that the local government will take the steps necessary to facilitate the restitution to its rightful owner of property which is held by a third party.

Article 4.

The Turkish delegation has on various occasions explained at length the justice of Turkey's suspension of the Capitulations in 1914. There can therefore be no kind of question of refunding taxes collected from foreigners on the same basis as from Turkish nationals. It is also natural that taxes which have not been collected up to date should be collected hereafter.

The Turkish delegation therefore demands the suppression of this article.

Article 5.

This article deals with the question of indemnifying Turkish subjects for losses caused by exceptional war measures alone to their property in Allied territory.

Article 7, which deals with the indemnification of Allied subjects in respect of their property in Turkey, does not merely mention exceptional military measures, but goes on to state that they will be indemnified in respect of property which no longer exists and in respect of losses caused by acts of war, sequestrations, requisitions, acts of disposal and confiscations, or by any prejudicial act or decision.

On the principle of reciprocity, the same terms should be inserted in the present article.

The Turkish delegation demands indemnification not only in respect of Turkish property, rights and interests in Allied territory, but also in respect of private property of the State, of the Civil List, or of Turkish subjects which cannot be restored, or which has been damaged or injured as a result of the same proceedings as those enumerated above, by the armies of occupation, whether in the detached or other parts of Turkey.

In making this demand, Turkey takes her stand upon the fact that the Allies, in occupying certain parts of Turkey after the Mudros Armistice had put an end to the state of war, assumed responsibility for such occupation, which moreover we did not recognise. It is natural that in accordance with The Hague Convention the Allied Powers should be held responsible for any act committed against the parties concerned in territories occupied by their armies and authorities. The fact that the Allies maintained certain administrations and certain officials of the old Turkish Empire in the occupied zones cannot free the Allies from responsibility. For these officials performed their duties under the authority and the influence of the occupying forces and were obliged to act in accordance with the wishes of the latter. The Turkish delegation proposes to add to this article a paragraph to the effect that the Turkish Government will accept no responsibility in respect of losses caused to foreign property during the period of occupation. Further, we think it necessary to suppress the last paragraph of article 5 in the Allied draft, for this paragraph makes it possible for the Allied Powers to evade entirely the responsibility which they have incurred in respect of Turkish property.

Article 6.

The Turkish delegation accepts article 6 of the Allied project as it stands.

Article 7.

As regards article 7 it is necessary—

1. To substitute the 29th October, 1914, for the date mentioned in this article.

2. To make the provisions of the article reciprocal, that is to say, to state that suits or claims brought by either of the contracting parties or by their nationals before the war against the other party or its nationals are to be continued and settled in conformity with the laws and procedure existing at the time of the treaty's entry into force. For Turkey having abolished the capitulatory régime could not admit that old lawsuits should be judged in accordance with an exceptional régime.

Article 8.

For identical reasons this article should be modified in the same way as article 5 in accordance with the principles of reciprocity.

Article 9.

The Turkish Government considers that the rights and interests of Turkish companies of which the capital has been largely subscribed by the nationals of the Allied Powers, but which are constituted under Turkish laws and statutes, do not in any way differ from the rights and interests of other Turkish nationals and do not enjoy any special privilege.

The insertion in the treaty of clauses regarding the relations of a Government with its own nationals is moreover incompatible with the sovereignty and independence of this Government. Furthermore, if it were admitted that Allied nationals at the present moment hold the greater part of the capital of these companies, the demand with which we are faced would have no legal foundation since the shares of these companies are continually being transferred, and the fictitious personality representing the majority of their capital might also change continually.

For these reasons the Turkish delegation has the honour to demand that this article be suppressed.

Article 10.

Turkey will not oppose the liquidation of German, Austro-Hungarian and Bulgarian property in the event of any property being owned by these Governments. The Turkish delegation does not intend to raise any difficulties over this question.

It is only necessary that such liquidation should be carried out in conformity with the law, and that the above-named Governments should have no justification for complaining to Turkey later on of irregularities committed in the liquidation. Liquidation must therefore be carried out in conformity with Turkish law by the representatives of the Governments concerned. Turkey naturally will not be called on to take any part in the operation, and it is clear that for these proceedings to be carried out in accordance with the general provisions of our laws there is no need to insert special clauses in the treaty.

As regards the liquidation of property, rights and interests belonging to the nationals of these Powers, the Turkish delegation feels obliged to state that the laws of the country recognise their right of ownership in Turkey. Turkey cannot be obliged to refuse, as an exceptional measure, to allow the nationals of certain States a position which is enjoyed by all foreigners. Such a procedure would, moreover, be contrary to the principles of international justice, the realisation which is the aim of the Allied Powers, and the purpose of which is equality without any discrimination for all States and their nationals. In view of these considerations, the Turkish delegation has the honour to demand the suppression of this article.

Before bringing to a close this statement of my views about this chapter, I wish to say that, as the Allied draft contains no provision regarding the reparations due by Greece for the devastation which she has perpetrated in Turkey, the Turkish delegation has been obliged to add an article upon this subject.

The Turkish delegation sincerely hopes that, as the justice and equity of this demand has already been recognised by the Allied delegations, the article will be accepted as it stands.

Thus the Turkish delegation has given evidence of its conciliatory attitude in connection with a large number of points in the draft handed to it yesterday by the Allied delegations.

Having made on other points the modifications which it has felt to be necessary in view of the above considerations, it has the honour to hand to the president of the commission a counter-draft regarding property, rights and interests (Annex (C)).

Ismet Pasha handed to the commission the counter-draft regarding property, rights and interests (Annex (C)).

M. **Bompard** said that the Turkish delegation seemed to raise again a certain number of points which it was thought had been settled by the sub-commission. As regards the Turkish delegation's claim that the Caliph should own the Hejaz Railway, M. Bompard pointed out that it was difficult to satisfy the claim in the form to which it was made, since the Caliph could not claim to own such a railway. Nevertheless, in order the satisfy the Turkish demand as far as possible, the French and British Governments were ready to make the following statement:—

"The Governments of France and Great Britain, acting on behalf of Syria, Palestine and Transjordania, and desiring to recognise the religious character of the Hejaz Railway, declare that they are ready to accept the constitution of an advisory council with power to submit to the administrations of the different sections of the railway lying in Syria, Palestine, Transjordania and the Kingdom of the Hejaz recommendations for the upkeep of the line and for the improvement of the conditions of the pilgrim traffic. This council will include four Moslem members appointed respectively by Syria, Palestine, Transjordania and the Hejaz and will itself choose its president, and two other members amongst the nationals of other Moslem countries interested in the pilgrimage. It will sit at Medina.

"The recommendations of this council must not be contrary to the provisions of the international sanitary conventions. The French and British Governments declare that in so far as concerns the sections of the railway lying in Syria, Palestine and Transjordania, any profits realised will be devoted to the upkeep and improvement of the whole of the railway. Any sums left over after such improvement will be devoted to the assistance of pilgrims."

At M. Bompard's request the commission took due note of this declaration.

M. Bompard pointed out that Ismet Pasha had raised two questions, the question of civil list property and that of reparations to be imposed on Greece, both of which belonged to the financial clauses.

He admitted that with regard to the clauses relative to private property, rights and interests, the agreement which during the course of negotiations had appeared to be upon the point of conclusion, had again been deferred.

Industrial, Literary and Artistic Property.

Ismet Pasha said that the Turkish delegation accepted all the clauses except article 6. With regard to article 6, as the Government of the Turkish Grand National Assembly had never recognised acts of the Imperial Government at Constantinople subsequent to the Allied military occupation of the city, the Turkish delegation could not accept the confirmation of the grants, transfers, cessions and registrations referred to in article 6. Moreover, no such provision had been proposed during the discussions of the Fifth Sub-Commission on Economic Questions.

M. Nogara observed that although a Turkish delegation might be justified in making reservations about this article, it was nevertheless true that it had been fully informed of it in the sub-commission.

M. Bompard pointed out that the Angora Government's attitude was to refuse to recognise any acts whatever carried out by the Constantinople Government after the 30th October, 1918. The Allied Governments could not accept this, for in dealing with the Constantinople Government they were dealing with a perfectly legal Government.

Zekiai Bey observed that, as a law passed by the Turkish Grand National Assembly formally refused recognition to the acts of the Constantinople Government subsequent to the 30th October, 1918, the Turkish delegation was bound to reject a provision contrary to this principle.

M. Bompard said that the Allied delegations must insist on the abrogation of this law which was in no way in conformity with equity and justice.

Debts.

Zekiai Bey read the statement of the Turkish delegation regarding the Allied proposals about debts :—

"The first paragraph of the article dealing with debts contains the first difference between the Turkish and Allied delegations, namely, that on the subject of the date.

"The principle of the Turkish delegation has always been to take as a basis the date of Turkey's going to war with each Power. The Allied delegations wish to regard the 1st August, 1914, as a common point of departure.

"There is nothing to justify the wish to extend the exceptional period, which began with the opening of hostilities, up to a date prior to the declaration of war. For example, war between Turkey and Roumania or Italy began a long time after the 1st August, 1914, and until then normal relations prevailed between ourselves and those two Powers. In the article regarding the settlement of the debt, therefore, a phrase should be used which would show that Turkey's entry into war with each Power is taken as the starting point.

"In view of this the Turkish delegation thinks that the 1st August, 1914, should be replaced by the following phrase :—

> "'At the date of the declaration of war between Turkey and each of the Allied Powers.'

"Furthermore, as it has been formally agreed to use the money specified in the convention for the payments which are to be made, there is no need for the phrase 'at the rate prevalent in the country to which it belongs.' This phrase was added recently by the Allied delegations and should be cancelled.

"The last paragraph of the article under discussion was provisionally suppressed by the Allied delegations during the discussions in the sub-commission in order that it might be put before the commission. Now we find that this paragraph has been reinserted. As is generally known, and as we have frequently stated, the insertion in the future treaty of clauses regarding Turkish companies is contrary to the principles which we maintain. This paragraph, therefore, must also be suppressed.

"If the article were redrafted with due consideration of the reasons stated above, the Turkish delegation would accept it on condition that the Allied delegations should similarly accept the Turkish proposals about property, rights and interests.

"The Turkish delegation therefore has the honour once more to ask the commission to settle the matter on these lines."

M. Serruys remarked that the formula "at the rate prevalent in the country to which it belongs" was inserted after a private discussion, in the Debts Section, of a text presented to it by the insurance companies at the request of the Turkish delegation. It was for the sake of clearness and symmetry that this formula was subsequently introduced into the main text on Debt questions, which the Turkish delegation had stated that they would only accept if an agreement was reached in regard to the text of the insurance clauses.

Zekiai Bey urged that the words "currency agreed to in the contracts" should be substituted for this formula.

Contracts, Prescriptions, Judgments: article 1.

Zekiai Bey read out the following observations :—

The question is the maintenance of certain categories of contracts concluded between enemy subjects before the war. A divergence of views seems to exist between the Allied delegations and the Turkish delegation in regard to the enumeration of these contracts. The Allied delegations take as a basis for this enumeration, the period necessary for the fulfilment of these contracts, a period relatively much longer and necessitating, for the interested parties, commitments the profits of which would not be realised except at a more or less distant future date. The Turkish delegation on the other hand has taken into consideration the actual nature of these contracts and the conditions under which they ought to have been concluded according to the intentions of the interested parties.

The Turkish delegation have, besides, thought that contracts, the maintenance of which should be imposed notwithstanding the opposition of one or other of the contracting parties, could not be other than contracts which had been partially if not completely fulfilled. The Turkish delegation believe that it would be more equitable, in the event of disagreement, not to oblige one of the parties to suffer, by the maintenance of certain contracts concluded before the war, the consequences of altered conditions of living and of mutual relations, while safeguarding the rights and interests of the other contracting party, who may insist on the maintenance of the contract.

It is because of these conditions that the Turkish delegation has omitted from article 1 the categories of contracts marked (*b*), (*c*), and (*f*), in order to include them in the following article.

On the other hand the delegation think that the word "decision" should be added to the reserve made in paragraph (*e*) in which contracts of companies is mentioned; also to suppress the word "allied." The paragraph would then read as follows: "Unless these companies were dissolved in accordance with national law or by a decision given by the interested Power."

The Turkish delegation is of opinion that in order to clearly express the idea in the draft of the last paragraph, the latter should be worded as follows: "The present article cannot be invoked in order to render acts or transfers valid which are non-existing by virtue of the laws of the country."

Article 2.

Accepted.

Article 3.

This article has in view the cancelling pure and simple of contracts other than those enumerated in articles 1 and 2. The Turkish delegation, however, think it more equitable to leave the decision on the subject to each one of the parties interested, and not to interfere, by a special stipulation, with the wishes of the two parties.

The cancelling of a contract should not take place unless one of the contracting parties objects to its fulfilment and in such case measures should be taken for fixing the indemnity to be paid, if necessary, to the other party who desires to maintain the contract, and to the liquidation of the business in conformity with the provisions of the contract, or, if necessary, of the laws of the country in which the contract was to have been carried out.

The Turkish delegation believes that the above-mentioned solution is entirely in accordance with the principles of right and equity, when all the interests concerned are taken into consideration, without causing injury to either of the contracting parties. The delegation therefore begs that this article be replaced by article 2 of the Turkish project which has already been presented to the Fourth Sub-Commission.

Article 4.

From the explanations which the Turkish delegation has given on the subject of article 3, the elimination of this article will be necessary, the Turkish counter-proposal already mentioned having provided a solution of this question.

Article 5.

The Turkish delegation accepts this article on condition that the words "in full and entire freedom between the contracting parties" be inserted after the words "transactions concluded."

Article 6.

The Turkish delegation requests that this article, which has just been proposed, be suppressed. Firstly, because the present section only concerns contracts concluded before the war, and secondly, because the Government of the Grand National Assembly of Turkey never recognised the legal status of the Imperial Government of Constantinople after the occupation of that city, nor can the validity of any of its acts be admitted.

With regard to contracts concluded between private parties, as they would be dealt with under the provisions of common law, it will be unnecessary to insert an article in the treaty.

Article 6 (*a*).

The Turkish delegation wishes to state that this additional article has only recently been proposed, and has consequently never been studied or discussed by the Fourth Sub-Commission. It concerns the question of submitting differences, whatever they may be, relative to contracts, to the decision of the mixed arbitral tribunal. The mixed arbitral tribunal is an exceptional form of jurisdiction. In questions relative to contracts concluded between private parties, the Turkish delegation has accepted the competence of the arbitral tribunal only for the determination of the indemnity to be paid and for the question of liquidation. The delegation cannot admit the extension of the powers of this exceptional jurisdiction and prevent the contracting parties, or one of them, to appeal to the court provided for by common law. The delegation therefore proposes the suppression of this additional article.

Article 7.

This article had been accepted at the sub-commission in its first form. The delegation, however, observe that in the new draft, paragraph 2 has been reconstructed and that the phrase "specially, to the delays provided by laws, regulations and decrees relative to all concessions and permits of every kind" has been added. The question concerning concessions having already been dealt with in another section, and the laws, regulations and decrees having provided for every contingency, the Turkish delegation is of the opinion that this phrase should be omitted and that the first draft proposed by the Allied delegations be adopted.

Article 8.

Accepted.

Article 9.

This article mentions the means of contesting, before the Mixed Arbitral Tribunal, decisions given or executive measures ordered during the period of the war by the Turkish authorities in regard to Allied subjects. The Turkish delegation accepts this revision on condition that it is reciprocal, and that such revision takes place before the court in which judgment had already been given: this procedure is in conformity with the rules of common law as the exceptional competence of the mixed arbitral court should be limited for reasons already given in article 6 (*a*).

In consequence the Turkish delegation begs the Allied delegations to adopt the solution which it presented to the sub-commission, a solution which amply safeguards the rights of interested parties, and has the advantage of being in accordance with the principles of common law.

Article 10.

The first Allied draft of this article contained a sentence which has been eliminated in the last draft and which, however, it would seem necessary to retain. It had reference to the validity of sale of the security on condition that "the date of maturity of the debt should not be prolonged by reason of the preceding conditions." The Turkish delegation had accepted the first paragraph of this article with this necessary condition; the delegation did not therefore consider it necessary to discuss the matter in detail, as the first draft, which had been accepted, was proposed by the Allied delegations themselves.

In regard to the second paragraph of the article, the Turkish delegation is of the opinion that the sales of securities effected in consequence of a judicial decision could not be annulled, and conversely that sales not provided for in contracts and not carried out under a judicial decision or without the intervention of a competent authority cannot be considered valid, for the reason that in the latter cases mentioned, the creditor is held to have acted in an arbitrary manner.

Article 11.

Accepted.

Life Insurance.

In regard to insurance, although the Turkish delegation only received the new Allied proposals last night, and which contain a number of points which have not been under discussion at the sub-commission, they nevertheless offer the following observations:—

Article 1.

Paragraph 1 of article 1 relative to life insurance can be adopted as it stands by the addition of a clause providing for the maintenance of the contract, even if one of the parties has not fulfilled one of the clauses of the contract during the period of the war, or during a period of five months after the entry into force of the present treaty. The second paragraph of the article is accepted by the delegation without reserve. In regard to the third and fourth paragraphs, it would seem necessary to complete them within the limits of the modifications made in the first paragraph and to recognise the right of insured parties to cancel their policy and not to subject them to a medical visit in the event of such persons preferring to maintain their original contract.

Article 2.

An important point in the regulations which concern premiums and indemnities is the date fixed within which policy-holders should have paid or could pay the premiums or indemnities in currency. It must be admitted that this date is not the 30th March, 1915, but the 18th November of the same year, which marks the end of the period in Turkey when gold currency had the same value as the paper money in circulation.

The spirit of article 2 is in accordance with the ideas and demands of the Turkish delegation. It is indispensable to replace the date of the 30th March by that of the 18th November. and to bring this article into harmony with the modifications made in article 1, in which it is provided that the non-execution of the clauses of a contract cannot be held to justify the cancellation of the contract. The modification in this sense asked for by the Turkish delegation seems much more practical besides being equitable both in the interests of insurance companies and of their customers.

Article 3.

It is not just to differentiate between contracts made out in francs or in pounds sterling and those which have been drawn up in Turkish pounds.

In consequence, the Turkish delegation proposes that all contracts concluded before the war should be considered equal without taking into consideration the nature of the currency stipulated in such contracts.

Article 4.

As the provisions of this article may injure the rights of insured parties, rights which may not be recognised by insurance companies, the Turkish delegation are of the opinion that it would only be right to regularise their situation when the transaction is not in harmony with the provisions of the present treaty.

Article 5.

The principle put forward relative to the definition of the nature of a life insurance policy is admitted by the Turkish delegation.

Article 6. *Marine Insurance.*

The Turkish delegation fully approve of article 6 which concerns marine insurance.

Article 7. *Fire Insurance, &c.*

It would be convenient if the modified provisions of article 1 which have reference to the maintenance of life insurance policies can be taken also as a basis for fire insurance policies and that the settlement of premiums and indemnity be also effected on that basis.

The Turkish delegation submits to the commission a counter-project relative to insurance contracts (Annex (D)).

Concessions.

ZEKIAI BEY read the following observations in regard to the clauses relative to concessions :—

Article 1.

The first paragraph has reference to placing holders of concessions granted before the war in full possession of their rights. I presume that no one for a moment doubts that these concessions continue to be in existence in Turkey. But amongst these concessions, however, are some which have been transferred to Ottoman limited liability companies, the insertion of clauses in regard to which in the Treaty of Peace would be, as we have several times pointed out, against our rights and sovereignty.

Paragraph 2 has reference to the *Régie* concession and to the French loan of 1913; as the concession mentioned has not yet received the approval of Parliament, it is not possible to consider the operations connected therewith as entirely concluded; the Turkish delegation cannot, in consequence, give any undertaking on that subject.

The third paragraph has reference to the prolongation of the term of all concessions for a period equal to the duration of the war; on the other hand, in paragraph 4 it is stated that account will be taken of such prolongation in estimating the indemnity which should be granted to concession holders in the event of readaptation and when determining the sacrifices that could be consented to by Turkey. As compensation, in the form of a prolongation of a concession for losses incurred by companies during the war, depends on the agreement of both parties, the two paragraphs in question have been considered superfluous.

Paragraph 5 has reference to the agreement which should take place between the Turkish Government and concession holders—when the concessions are found to no longer conform to new economic conditions—for their revision and their readaptation to new conditions; the next paragraph has reference to arbitration by a commission consisting of three arbitrators in the event of such agreement not being possible.

The Turkish delegation cannot approve of the proposal to refer questions relative to the readaptation of such concessions to the decision of arbitrators; the delegation is of the opinion that for the solution of such questions, the laws and administrations of the country, as also the clauses of contracts of concessions, should be sufficient. It is besides beyond doubt that the Government of the Grand National Assembly of Turkey, fully alive to their country's need of foreign capital, will aim in attracting to Turkey as much capital as possible, and the delegation believes that with the moderation and far-sightedness which they will be able to exercise in that direction they will be successful.

Paragraphs 7, 8 and 9 have reference to the recognition of contracts concluded between the Government of Constantinople and concession holders since the 30th October, 1918; as, however, the Government of the Grand National Assembly of Turkey has proclaimed by a special law that all such kinds of contracts are null and void, the recognition demanded cannot be granted; I only wish to mention that the consideration of such concessions is possible, and would add that their recognition, in the event of their being concluded in accordance with the laws and having been obtained without pressure, will be a matter of course.

I hope that full confidence may be placed in the policy of a good understanding which is followed by the Turkish Government in this respect. For these reasons the three paragraphs mentioned are superfluous.

Article 1 has therefore been modified in view of the considerations mentioned.

Article 2.

Article 2 deals with the purchase of the Anatolian and Bagdad railways by the State, and the conclusion of an agreement with the Allies whereby their assistance would be obtained as soon as these lines become State property. It also deals with the admission of Turkish capital in the working of the railways to an amount equal to the largest share of foreign capital engaged in the enterprise.

As the Turkish Government has in the various acts of concession and in accordance with its laws reserved the exercise of this right whenever necessary, it cannot consent to the inclusion of this clause in the text of the treaty, although it none the less is grateful for the promise made in regard to the advance of the sums necessary for the purchase of these lines. The delegation considers that this question should be discussed and settled between the Turkish Government and the interested parties.

Article 3.

The Turkish delegation accepts the first paragraph of article 3; in regard to the remainder of the article the delegation has the honour to declare that the question with which it deals does not concern Turkey.

Article 4.

The date of 1914 would seem to have been erroneously inserted in article 4. It would seem best to replace it, as has been shown in the course of the discussions of the sub-commission, by the date of 1918, which is that of the conclusion of the armistice. It is realised that up to that date the detached territories of the Ottoman Empire were all united to Turkey under Ottoman sovereignty.

Article 5.

We are not opposed to the spirit of article 5. Concessions held by subjects of the Central Powers, who, under the Treaties of Versailles and Saint-Germain, &c., cannot claim their rights, will naturally, and according to existing laws, be cancelled by us, owing to the non-execution of the necessary formalities. I consequently beg the Allied delegations to be satisfied with this declaration.

Article 6.

Article 6 is accepted by the Turkish delegation.

Article 7.

Article 7 relates to limited liability companies. We have, on various occasions, explained the reasons for which we do not desire the insertion of such a clause in the treaty. Our only object is to safeguard the rights of the State, otherwise the maintenance of the rights and security for the development of such companies concern us in the same degree as those of all other Turkish subjects, and are in entire harmony with the economic interests of the country.

Protection.

M. BOMPARD remarked that some general provision was necessary to define the term "Allied subjects."

ISMET PASHA declared that the system of protection, which had given rise to so much abuse up to 1863, was in fact abolished in the Ottoman Empire in that year by regulations which limited the number of natives employed in the service of foreign consulates in Turkey.

Protected persons, limited to a small number, have continued to be Turkish nationals. There would therefore seem to be no reason to afford such persons a different treatment to that enjoyed by their co-nationals. In consequence, the Turkish delegation proposes that a general provision should be drafted as follows:—

"The term 'subjects' includes besides individuals, societies, associations and establishments of each one of the high contracting parties legally recognised as such in the territory of the other party."

M. BOMPARD pointed out that Ismet Pasha's proposal tends to modify very considerably the clauses agreed to between the Allied Governments. He remarked that notwithstanding the spirit of conciliation shown by the Allied delegations, the subjects which have been submitted for the examination of the Sub-Commission on Economic Questions seem to be less advanced than they were a few days ago.

He proposed that the commission should now examine the questions dealt with by the Third Sub-Commission.

Customs and Commercial Régime.

The commission has had submitted to it a draft convention relative to the commercial régime with Turkey which has been prepared by the Allied delegations (Annex (E)).

Hassan Bey submitted the following observations on the commercial régime, navigation and industrial property :—

Commercial Régime : Article 1.

The Turkish delegation accepts this article. We propose that all the articles from article 2 onwards should form the subject of a separate commercial convention to be signed and exchanged separately by each State.

Article 2.

Accepted.

Article 3.

The coefficient to which the merchandise mentioned in Annex 1 of article 1 should be submitted ought to be nine instead of eight.

It will be necessary to suppress article 270 mentioned in that annex.

The Turkish delegation is of the opinion that the consolidation of the tariff for a period of three years will be more favourable to the interests of all parties, taking into consideration the fluctuations of Turkish currency; they therefore propose not to vary the coefficients.

Article 4.

After the figure (1) the Turkish delegation propose to add the following words: "in order to avoid grave inconveniences which menace the economic régime."

As it is, this same phrase exists textually in the former projects.

Article 5.

The Turkish delegation can give no undertaking in regard to municipal and local taxes; the delegation can only guarantee in regard to these taxes that no discrimination will be made between merchandise of foreign countries nor between local and foreign merchandise generally.

Article 6.

Accepted.

Article 7.

As the Turkish delegation has accepted the coefficient of nine on condition that the convention is for a period of three years, it proposes to replace five years by three years.

The words "either by virtue of former conventions" have no application, and their suppression is therefore proposed.

Article 8.

Has been accepted in its revised form.

Article 9.

The words "five years" which are found in the first paragraph of this article should be replaced by "three years."

The second paragraph of this article is also accepted in its revised form, with the following modification : " negotiations will be entered into a year after the signature of the treaty."

Article 18.

We propose the following modification in the last paragraph of this article : " In the event of the Allied Powers not having definitely accepted or refused, on behalf of their dominions, possessions, &c., the clauses of this treaty at the time of signature, they will not be able to do so until three months after it was signed.

Once accepted or refused no change will be possible during the three years. In the event of acceptance, the dominions, possessions, &c., who have special tariffs should apply their minimum tariff in regard to Turkey.

Article 15.

Draft proposed by the Turkish delegation :—

" In order to define the origin of imported products, each one of the high contracting Powers may insist on the presentation by the importer of an official declaration stating that the article imported is a national production or of national manufacture, or that it should be so considered in view of the transformation to which it has been subjected in the country from which it comes.

" Certificates of origin drawn up in the form of the model Annex No. 1 to the present treaty shall be delivered either by the Ministry of Commerce or of Agriculture or by Chambers of Commerce of which the exporter is a member, or by any other organisation or association agreed to by the country of destination. The certificates must be regularised by a diplomatic or consular representative of the country of destination.

" In the event of an exporter fearing that notwithstanding the certificate of origin which accompanies the goods the latter may be a subject of dispute, he may have the certificate of origin confirmed by a certificate of verification signed by the issuer of the certificate of origin, and by a technical agent designated by the diplomatic or consular representative of the country of destination. In order to verify the goods, this agent may, if necessary, demand every proof or necessary document. If goods are accompanied by a certificate of verification they will be subjected to a legal assessment at the customs only in case of fraud or presumed substitution.

" Parcels will be dispensed from certificates of origin when the customs of the country of destination recognise that such parcels have no commercial value."

Draft proposal presented by the Turkish delegation :—

" The produce of the soil and of the industry of one of the two countries, imported into the territory of the other and destined to be placed in bond, or in transit towards any other destination, will be subjected to no customs dues or any interior taxation other than the taxes actually in force in each one of the two countries, or of dues and taxes exclusively levied to cover the expense of supervision and administration incurred by transit, always without prejudice to the levy of fiscal taxes to which such goods will be subject in course of their being placed in bond or in transport."

Navigation.

HASSAN BEY then made the following declaration :—

Article 10.

"The Turkish delegation are unable to accept sentence 4 of this article which grants for a period of five years the right of coasting trade to foreign navigation companies whose head offices are in Allied countries. This is an entirely new proposal.

"The Turkish delegation propose to add at the end of this article the following paragraph :—

"Should no fresh agreement have been concluded before the expiry of the period of ten years, the parties will retain their full liberty of action."

Industrial Property : Article 1.

The Turkish delegation proposed to add to paragraphs 1 and 2 of the first article the following reservation :—

"On condition that reciprocal treatment is granted."

Article 2.

Accepted.

Article 3.

The acceptance of this article as it stands would result in cutting Turkey off from Anglo-Saxon and Latin culture, which would run counter to the desire of the Powers to disseminate their language and their literature.

In view of these great moral interests, the Turkish delegation proposed to cancel this article.

Nevertheless, Turkey was prepared, notwithstanding these great interests, to conclude an agreement on this subject with any State which might express the desire for one.

Article 4.

Accepted.

M. SERRUYS pointed out that all the Allied delegations were agreed that it was desirable to conclude a commercial convention which should be in conformity with international law and the stipulations usual in commercial and shipping treaties. It was on this condition that the Allied Governments had agreed to the loss of the capitulatory privileges which they enjoyed in Turkey.

As regards shipping, the Allied delegations had deemed it necessary to take into consideration the position of Allied shipping companies who had for so many years ensured the communications of the Levant. The Allied Governments had agreed to allow negotiations to be begun between the shipping companies and the Turkish Government with a view to the organisation of these services on new bases. If a provisional régime were not instituted, old-established commercial activities and much capital, which had especially benefited Turkey, would be lost. The Allied Powers did not ask that the Allied companies should be free to take part in the small coasting trade. They entirely understood the desire of the Turkish Government to reserve this trade for Turkish nationals; but they could not but think it impossible for them to leave out of account an existing position from which Turkey had derived the principal benefit, and it was for these reasons that they asked for temporary guarantees.

Financial Clauses.

The commission was presented with a draft of the financial clauses (Annex (F)).

Ottoman Public Debt.

HASSAN BEY made the following observations:—

Article 1.

In the second line of this article before the words "in favour of whom," the Turkish delegation proposed to add the words "and other States." It was necessary to insert in the table annexed to article 1 the debt and the annuities for which the Smyrna–Alashehr Railway was responsible. He likewise proposed the cancellation of the explanatory note annexed to the said table.

Article 2.

The Turkish delegation proposed that here for the words "may with the consent of the bondholders be divided . . . . " there should be substituted simply the words "shall be divided."

Before the last paragraph of this article Hassan Bey considered it necessary to add the following paragraph:—

"Each State shall have the right to issue new bonds in respect of those portions of the debt for which it becomes responsible."

Article 3.

In the course of the negotiations which had so far taken place the Turkish delegation had expressed the opinion that the introduction of this article into the treaty served no useful purpose. It still maintained this same opinion. It was stipulated in the contracts relative to the loans that in case of insufficiency of revenue, the deficit should be made up out of the general revenues of the

State. It followed naturally that as regards the ceded revenues Turkey was under no obligation to furnish other guarantees. Moreover, the Turkish delegation was convinced that no need therefor would arise.

Article 4.

It was necessary to include in the distribution the paper money, the total amount of which was £T. 159,734,000, and also the internal loan which amounted to £T. 17,977,600. The following paragraph should also be added to this article :—

"Turkey is in no way responsible for requisitions which have been effected in the territory detached from Turkey by the present treaty and which have not yet been paid for."

The Turkish delegation recalled the statements already made by it regarding those portions of indebtedness which have hitherto remained unpaid and for which certain Balkan States were responsible under the Treaties of Berlin and Thessaly:

Montenegro and Serbia, under articles 33 and 42 of the Treaty of Berlin of the 13th July, 1878, and Greece, under article 10 of the Treaty of the 24th May and the 2nd July, 1881, concluded at Constantinople were obliged to make themselves responsible for a part of the Ottoman Public Debt.

The amount of these shares had been determined by a note dated the 6th November, 1883, addressed to the Sublime Porte by the British Embassy. Although since that date the Ottoman Government had taken the necessary steps with a view to the participation of the above-mentioned States in the Ottoman Public Debt, it had unfortunately not been possible to secure execution of the stipulations of the above-mentioned articles.

In view of these important considerations the Turkish delegation to the Conference of Lausanne had again and again demanded the payment of these shares.

The omission to enter these losses in the table showing the division of indebtedness did not at all mean that Turkey had abandoned her rights. On the contrary, the Turkish delegation had the honour to declare in the name of its Government that whenever an opportunity presents itself the Turkish Government would be at liberty to claim these rights.

Article 5.

Accepted.

Article 6.

The Turkish delegation proposed to add to this article the following paragraph :—

"Should the decision of the arbitrator be in favour of the distribution of the kilometric guarantees, the pecuniary guarantees in respect of the railway whether situated in Turkey or in territory detached from Turkey will form a single block of debt to be distributed among the States under the same conditions and on the same basis as the other debts appearing in the table annexed to the first article."

The Turkish delegation considered that question 2 of the terms of reference to arbitration should be cancelled.

Article 7.

Accepted.

Article 8.

The Turkish delegation proposed the following correction of this article :—

"The annuities in respect of the shares of the debt falling to countries separated from Turkey by the present treaty shall begin as from 1918."

Article 9.

Accepted.

Article 10.

Accepted.

Article 11.

It was necessary to make it clear that this article referred to States which did not wish to take over their share on a capital basis.

Article 12.

In place of this article the Turkish Government would make a statement to the administration of the public debt.

Reparations : Article 1.

The Turkish Government was asked to pay, on balance, an indemnity of 15,000,000*l.* gold. The Turkish delegation categorically rejected this demand.

The Turkish delegation put forward the two following proposals in this connection : either the parties should make no reciprocal demands or else the accounts should be produced reciprocally. For this reason, the Turkish delegation wished, *in the first instance*, to know the amount of the damages claimed by Allied nationals.

It was considered, moreover, that responsibility for damage caused by warlike measures or acts in countries detached from Turkey after the armistice must rest with those territories.

Turkey accepted no responsibility for such damage, because up to the date of the armistice these countries had fought for the same cause side by side with her.

Further, reparation for losses suffered by all the territories occupied by the Greeks must be undertaken by the latter.

The Turkish delegation proposed the addition of the following paragraph :—

> "The value of the ships ordered before the war in British yards and requisitioned by the British Government three months before Turkey entered the war shall be refunded by that Government to Turkey."

Article 2.

The Turkish delegation urged strongly the absolute necessity of drawing up a statement showing the different kinds of damage caused by the Greeks in Anatolia, in respect of animals, means of transport, specie and other property belonging to Turks and carried off by the Greek armies.

Articles 3–8.

As for these articles, Turkey was certain that on balance she would owe the Powers nothing, and there was therefore no occasion to discuss these articles.

Miscellaneous Clauses: Article 1.

The Turkish delegation had no right to cede the properties of the Civil List of the Caliphate, with or without compensation. It could not agree to cede properties bringing in revenue to the State, except on payment of their value.

Article 2.

The Turkish delegation accepted this article with a slight modification, *i.e.*, the first word "Turkish" must be replaced by the word "Ottoman."

Article 3.

The last paragraph of this article could have no application, since neither Germany, Hungary or Austria owed Turkey anything at all.

Article 4.

Accepted.

Article 5.

The Turkish delegation could not in any circumstances agree to the retention of the gold coin on which the first issue of paper money was secured.

General Provisions.

Before expressing any opinion on paragraph 1 of this article, the Turkish delegation desired to know the arrangements and understandings entered into by the Government of Constantinople regarding the advances and division of receipts.

As regards the second paragraph, the proposal contained therein having never been discussed in any sub-commission and no particulars, therefore, being known to the Turkish delegation, the latter was unable to express any opinion on the subject.

As regards the terms of reference to arbitration, the Turkish delegation was in agreement in regard to paragraph 1, but not in regard to paragraph 2. It considered that a distinction should be made between fixed annuities earmarked for the service of loans and kilometric guarantees which were in their nature variable according to the returns of the enterprises concerned. Debts contracted by the State for purposes connected with railways could in no way be compared to kilometric guarantees payable by the State. If this point of view were accepted it would amount to following to their destination the funds placed at the disposal of the State by the loan. In these circumstances, the Turkish delegation considered that it could not accept arbitration on the second question, since in this case a State debt was concerned.

As regards the clauses concerning reparations, **Hassan Bey** was surprised to observe that by the last paragraph of article 4 the Allied delegations seemed to desire to subordinate the Turkish Government to the economic tutelage of the Administrative Council of the Ottoman Public Debt. The Allies were, in fact, tending to make this council into an organ of the internal administration of Turkey.

M. **Bompard** pointed out that in refusing article 1 of the reparations clauses the Turkish delegation was assuming a very heavy responsibility. The Allied Governments had gone to the extreme limit of concession on this point.

They were abandoning the expenses of occupation, which amounted to a very large figure. They were abandoning all reparation arising out of the fact that the Turkish Government had made war against them—war from which they had greatly suffered—and they were claiming only a forfeitary payment to indemnify their nationals. On the other hand, they agreed to hand over to her 5,000,000*l*. which were deposited with the Bank of France and the Bank of England.

Not only was the Turkish delegation rejecting this proposal, but it was further claiming 5,000,000*l*. representing the sums expended by the Turkish Government for the construction of Turkish ships seized by the British Government in Messrs. Vickers Maxim's shipbuilding yards.

In the name of the Allied Governments M. Bompard declared that these demands constituted a minimum from which they could not depart.

As for the last three paragraphs of article 4, they were by no means so new as the Turkish delegation declared, seeing that they simply stipulated that the powers of the Liquidation Commission previously provided for should, as far as concessions were concerned, be transferred to the Council of the Debt.

M. Bompard wished, while on this subject, to make the following declaration:—

> "The Allied Powers have never had any intention of infringing in any way the sovereign rights of Turkey, which are fully safeguarded by the proposed clause, which does not in any way imply any obligation on the part of Turkey to follow the advice of the Administration of the Debt in regard to concessions. Turkey, under her own responsibility, retains her full liberty of action, and the principle of the open door will continue to remain in force in Turkey in economic matters."

As regards article 2, the Turkish and Greek delegations had sent in their observations on this subject. They were contained in the memorandum of the Turkish delegation of the 20th January, 1923 (Annex (G)), and in that of the Greek delegation of the 25th January, 1923 (Annex (H)).

The Turkish Government first asked Greece for an indemnity of £T. 160,000,000. On the 20th December a further claim was lodged by the Greek Government for £T. 223,000 under various headings. A month after this request, on the 20th January, 1923, the Turkish delegation furnished the conference with explanations and tables regarding this demand; it claimed the very considerable sum of £T. 1,341,000,639,505 paper money. A supplementary note added to the first reckoning a sum of about £T. 40,000,000. On the 25th January the Greek Government refused the demand of the Turkish delegation. M. Bompard declared that this subject was now open to discussion between the two delegations; he could not, however, refrain from observing that the Turkish delegation had waited too long to make known its views and that it seemed very late in the day to begin the examination of such a question.

M. VENISELOS pointed out that, ever since the first meeting of the commission, the Turkish delegation had brought up the question of reparation, claiming for Turkey the payment of an indemnity of £T. 160,000,000 without indicating whether this sum was to be paid in gold or in paper. The Turkish delegation had not, since they first put forward their demands, given any further explanation on this point.

On the 20th December the Greek delegation in the first place refused to consider a demand of so indefinite a nature. They then presented counter-claims, the effect of which would be to cancel the claims of the Turks. It was for this reason, in fact, that, in the article relative to reparations to be paid by Turkey, Greece was formally excluded. Turkey had now defined her demands; she claimed, for instance, for the Smyrna fire alone, where 18,000 houses had been burnt, a sum of £T. 175,000,000. M. Veniselos wished to assert that it was not the Greeks who were responsible for the burning of this town, which, contrary to the assertion of the Turkish delegation that it had been burnt twenty-four hours after the departure of the Greek troops, was only burnt four days after its complete evacuation by the Greeks and occupation by the Turkish troops. In fact, the Turkish quarter had remained absolutely untouched, and only the Greek, Armenian and European quarters had been burnt down. It was evident, further, that the Greeks could not be responsible for this destruction, the only result of which could be to increase further the number of refugees which she had to maintain.

The Turkish claims were, in fact, fantastic. In proof of this it was sufficient to examine the accounts drawn up for the destruction of rural houses situated in the zone of military operations. It was, no doubt, true that damage had been caused, the Greek army during its retreat having lost its cohesion and discipline. Greece was quite ready to pay for the damage so caused; she would, in fact, go so far as to say that the exact estimation of that damage would be in her own interest; but, if she was ready to pay, she also wished to be paid for the losses which had been imposed on her. The expulsions of Ottoman Greeks before, during and after the war had been carried out on a vast scale, to a point, in fact, where they endangered the whole social, economic and political future of Greece. If Greece was to pay, it was only right that she should obtain a refund of what these expulsions had cost her. She was ready to abandon her claim for the expenses of military occupation after the change of Government, that was to say, £T. 70,000,000; but she demanded the rest of her claim, including the occupation expenses of the Constantinople division; otherwise she must maintain her demand that her claim for compensation should be considered on an equal footing with those of the other parties in order to reach a general settlement.

M. Bompard observed that the proposal of the Greek delegation was either to set the two accounts against each other so that they should cancel out or else that each side should pay its part. The Greek delegation agreed to abandon its claim for the expenses of military occupation incurred after the change of Government.

M. Veniselos pointed out that even if Greece gave up her claim to the expenses for the occupation of Smyrna, he must nevertheless claim the expenses of the Constantinople division, which was operating in concert with the Allies, and of the battalion which guarded the railway through Eastern Thrace before Greek military operations were undertaken in Asia Minor.

M. Bompard observed that it would be difficult for Greece to maintain any claim for expenses of military occupation, seeing that the Allies consented to abandon theirs.

M. Veniselos drew attention to the fact that, against this, provision was made for the indemnification of Allied nationals.

In any case, if accounts were to be drawn up, he would demand that the damage caused to Greek subjects should also be taken into account.

Ismet Pasha wished to make certain general observations in regard to the questions raised at this meeting. He complained of the procedure followed in the examination of the economic questions.

The questions submitted to the examination of these sub-commissions were so complicated that more time ought to have been given for their consideration. Instead of pursuing methodically the examination of a single question on some definite principle, the issue was confused by subsequent modifications of principle. Thus the sub-commission had begun by accepting the effective distribution of the debt. It was now clear that this distribution was ruled out, since it was being made dependent on the consent of the bondholders. It would be enough, therefore, for the latter, at some future date, to raise objections to the distribution for such distribution not to take place. In this way the condition which had been attached to it cancelled the acceptance of the principle.

On the other hand, Ismet Pasha had reason to believe that the sub-commission had been agreed as to the measures to be taken in regard to the internal debt and the distribution of paper money. Now all these conciliatory promises had been withdrawn. It had been decided that the £T. 5.000.000 gold deposited at Berlin and Vienna should be returned to Turkey; the Allies had now just stated that they would not return these £T. 5.000.000. As for the 5,000,000*l.* sterling representing the value of the men-of-war ordered from British firms, they were not even mentioned; and yet that was a question which was neither political nor military, it was a purely legal matter and the Turks demanded that it should be settled according to law and equity.

As regards the contracts made by the Government of Constantinople, which was under the domination, occupation and arbitrary influence of foreign Powers, it was impossible legally to consider them as valid. All the contracts had been made under pressure of superior force and had been dictated by occupying Powers.

The control of concessions by the Public Debt, was, so far as the Turkish delegation was concerned, an entirely new question. It had only heard of it forty-eight hours before to-day's discussion. According to this new proposal the Turkish Government would be unable to grant any concession without the consent of the Debt Council. The Turkish Government failed to understand why it should be in any way prevented from taking up business proposals with American, Belgian, Swedish, Dutch or other companies. If the Government did not agree with the Debt Council, it would be unable to deal freely with the Americans, Belgians and others who had the most extensive relations with the Turks. It was really impossible to understand this inopportune interference on the part of the Debt which was a purely internal institution and was founded solely on an agreement between the Government and the bondholders. There was no apparent reason why it should be involved in business of this kind. Nor had it been said that the other nations would agree to the creation of an obstacle which might have an unfavourable influence on their economic initiative in Turkey.

Ismet Pasha then raised the question of coastal trade which had been settled in the sub-commission. He did not know how the question had suddenly arisen again. It would be admitted that that was not a way to reach a settlement.

There was another question of great importance which the conference was to reconsider that day—that of reparations. The first proposal which had been made on this subject to the Turks had at the outset accepted the principle of compensation. If the idea of compensation had been accepted, it was because, after estimating the damage committed on either side, it had been calculated that there would be a balance against the Turks. The Turkish delegation was always ready to compare the respective amounts of damage and to pay any balance which there might be against Turkey. But if the result of the comparison was to the advantage of the Turks the Turkish delegation would avail itself of the principle of compensation in order to claim payment of the balance which stood to the Turks' credit. How could it be imagined that the population of a country occupied, devastated and destroyed from one end to the other in violation of all human laws and of international law, should be forced to pay those very people who had caused or committed these ravages?

Towns of 20,000 houses had been entirely destroyed by intense bombardments of six months. Supposing that there were twenty foreign houses also destroyed in these same towns, they would force the owners of the 20,000 destroyed Turkish houses to rebuild the twenty foreign houses which had been destroyed by the artillery of the same foreign army.

As regards the Greek reply to the Turkish reparation demands, M. Veniselos's explanations would be a criterion of the state of mind prevailing at the discussion. When it was known that M. Veniselos had, after all the notorious events which had happened, gone to the length of claiming Turkish money for the Greek occupation of Turkish territories, the honest and intelligent people in the world would have an idea of the spirit which prevailed during the financial negotiations at Lausanne. According to the Allies and to the Greeks, Turkey should pay for everything, but everything which the Turks claimed, according to the lowest estimates, was systematically refused to them.

M. Veniselos thought it in the interests of his case to emphasise the destruction committed at Smyrna because he thought the Turks would consider it the most important part of their claim. The total of the destruction committeed at Smyrna formed only a small part of the devastation caused by the Greeks in Asia Minor.

Ismet Pasha maintained that the Smyrna fire was due to the Greeks. He made no assertion without previous verification of the facts. It had been irrefutably proved that the responsibility lay with Greek organisations. That could always be verified and he would not allow his assertions to be doubted. The fact that the fire broke out after the Turks' entry into Smyrna did not free the Greek organisations from responsibility. These organisations had promised themselves that they would destroy the whole city in the same way as they had carried out their devilish work all over the occupied provinces. They had taken all measures for rasing the town to the ground, but the rapidity and unexpectedness of the Turkish army's arrival made the execution of the whole preconceived plan impossible. It was not the will of the incendiaries that was lacking. But they were only able to carry out their project in the quarter where they had collected. The fire lasted four days. The Turkish troops who tried to help and the Turkish inhabitants who hastened to isolate the fire were received with bombs and fired at from windows. It would be a good thing for the Greek case not to recall these memories.

M. Veniselos also cast doubt upon the amount of the damages claimed by Turkey from Greece. This amount was perhaps beneath the mark. But Ismet Pasha wanted first of all to know whether it was the principle or the amount of the reparations about which M. Veniselos hesitated. If the principle was accepted, the amount could be examined and they would find out whether a house could be rebuilt and a property restored to its pre-war state with £T. 200. Arguments like that would not solve the problem.

In brief, Ismet Pasha shared the opinion of the president of the commission. Even supposing that the points in dispute were settled that day, there would be no guarantee that fresh proposals of a no less disconcerting nature would not be put forward the next day. He therefore wondered, and asked the conference why such a method of procedure had been adopted.

Principles already agreed upon should not be raised again, nor should proposals which had already been submitted be correspondingly compromised. It was no good to revive difficulties which had already been overcome at the price of wearisome efforts.

Ismet Pasha's last request to the president was therefore to set up procedure which would make it possible to study thoroughly and methodically all the questions submitted to the commission.

M. VENISELOS observed that the Turkish delegation insisted in claiming that the Smyrna fire was caused by the Greek army or Government or by Greek organisations. It would be impossible to find the impartial evidence invoked by the Turks as throwing responsibility upon the Greeks who had evacuated the place four days earlier.

At the first the Turkish Government had not dared to declare that it was the Greeks who had burnt Smyrna. They had thrown the responsibility upon others who were still more defenceless than the Greeks, namely, the Armenians. Nine-tenths of the houses burnt belonged to Greeks or Armenians. It was inconceivable that the people who had evacuated the country should leave behind them organisations specially designed to destroy their own heritage.

Greece certainly accepted the responsibility for damage caused in violation of the laws of war by any relaxation of discipline among her troops. But she would only undertake to pay for such damage on condition that she herself should be paid what she was entitled to, and in particular the damage for losses suffered by Hellenic as well as other Allied nationals. She would also ask to be repaid the expense she had incurred by the maintenance during six years of more than 500,000 Ottoman Greeks who, having been driven out of Turkey before May 1914, had been obliged to take refuge in Greece. The sums which the Greek Government had spent on these refugees were enormous.

M. Veniselos desired to point out once more that it was only the insistence of the Turkish Government which made him put forward these claims. He repeated that he was ready to abandon them on condition that the Turkish Government on its part abandoned all its demands.

Ismet Pasha said that he had already answered M. Veniselos's arguments about the Smyrna fire. He did not want to exhaust the patience of the commission by repetitions.

M. Veniselos wanted to include the expenses which Greece had incurred in maintaining the Greek emigrants. The first Greek delegate no doubt forgot, or was unwilling to publish, the circumstances in which the Greek inhabitants, compromised as they were by the deeds of the Greek army or by its complicity in the devastation, had been obliged to follow that army in its retreat both in Asia Minor and in Eastern Thrace. M. Veniselos had himself said, in speaking of Constantinople and other places, that Greeks could perfectly well live with Turks. Why then did the Greeks of Thrace leave before the Turks returned? Ismet Pasha would himself give the answer. It was because the Greek army forcibly took away all the Greeks of these districts. That gave an idea of the conduct of the Greek authorities. They provoked an exodus, carried off the inhabitants, and then asked that the Turks should pay for their policy. The Turkish delegation would not stop to deal with such arguments. They were answered by facts of crushing eloquence such as the systematic devastation of a country vaster than the whole of Greece, the burning of twenty-six big towns and of a corresponding number of villages and hamlets. That was why the Turkish delegation maintained its demand *urbi et orbi* and insisted that the indispensable amount of reparation should be paid.

M. Veniselos said it was incorrect to state that the Greeks who left Asia Minor were taken away by the Greek troops. They fled for fear of reprisals. As the Turkish Government said that they had left without any justifiable fear, M. Veniselos asked Ismet Pasha if he was ready to allow these Greek refugees into Eastern Thrace.

Ismet Pasha said that he could not and would not go back to questions which had already been settled. If he had spoken of Eastern Thrace, it was to show up the contradiction between M. Veniselos's statements and the facts.

M. **Bompard** thought that it was useless to continue the discussion. He was obliged to record that with regard to economic questions there was disagreement on a great number of points.

(*The meeting ended at* 7·15 p.m.)

Annex (A) to No. 38.

Report of the Sanitary Sub-Commission.

The Sanitary Sub-Commission held its first meeting on the 20th December.

The president submitted, in the name of the Allied Powers, a draft scheme, involving the re-establishment of the former Constantinople Board of Health, with the mandate of directing the sanitary service on all the coasts and frontiers of Turkey. The Turkish delegation declared its inability to accept this scheme, and submitted an alternative draft, proposing (1) either the suppression of the former board or its removal to some place outside Turkey, and (2) the utilisation of a portion of the sanitary funds for the pensioning of employees and the transfer of the remainder of those funds to the Turkish Minister of Sanitary Affairs for the creation of sanitary institutions.

In reply, it was pointed out to the Turkish delegates that their proposals could not be accepted by the Allies, since they are directly opposed to the opinion unanimously expressed by the Health Committee of the League of Nations and the International Health Office—two bodies upon which nearly all the nations of the world are represented, whereas the number of Powers represented in the present conference is relatively limited. It was moreover clear that the Powers formerly represented on the Constantinople Board of Health could legitimately object to the transfer of funds—to the accumulation of which their nationals had all contributed—to an organisation upon which they would no longer be represented and without having the assurance that the defences of Europe against the importation of disease from the East by way of Turkey—and particularly by way of the Straits—were placed on a sound and satisfactory basis.

In the course of the discussions it was brought out that the danger which the Turkish coasts and especially the Straits offer is a real one and tends continually to increase. For, on the one hand, a wide extension of the net-work of railways in the Caucasus, Central Asia, Persia and Siberia may be anticipated in the near future, and, on the other hand, the number of pilgrims having greatly diminished in the last eight years, it is certain that there are now very large numbers of Moslems who are only awaiting the conclusion of peace to perform their Hadj. It follows that. when once peace is re-established, there will be an immense outflow of pilgrims and of ordinary passengers traversing Turkey and especially the Straits; and the danger that these will offer for the public health fully justifies the anxiety of Europe to have the sanitary defences of her eastern frontiers assured to her complete satisfaction.

The Straits and the Suez Canal are, in fact, two great waterways by which pestilential diseases may very easily penetrate into Europe from the East. The sanitary defensive measures in the Canal are laid down in full detail in the international sanitary conventions, and their application is entrusted to a mixed sanitary council sitting in Alexandria. Analogous measures are even more necessary in the Straits, and these also should be applied, as they were, in the past, by a mixed sanitary council sitting in Constantinople.

The Turkish delegation, in reply, affirmed that Turkey now possesses a body of well-trained medical men, competent to assure those sanitary defences in such a way as to satisfy all demands. Turkish doctors, they added, have for many years past gone to Paris, Vienna and other European capitals to complete their studies, and among them are, they contended, many good bacteriologists and experts in sanitary matters who are in no way inferior to experts of other nationalities.

In the course of the discussions it was elicited that the presence of foreign delegates on the Constantinople Board of Health dated from the year 1839; that it was one of the corollaries of the capitulatory régime; that it was on the invitation of the then Sultan that the Powers had sent delegates to that Board; and finally, that at that period Turkey did not possess doctors capable of directing the sanitary service. However, in the opinion of the Turkish delegates, the situation is quite different to-day—the Capitulations having disappeared and Turkey being in a position to provide doctors in sufficient numbers and having all the qualities needed to ensure the sanitary defence of her coasts and frontiers.

At each of its meetings the technical committee, to which the sanitary sub-commission had referred these questions, endeavoured to find a formula which, while satisfying the legitimate demands of the two great international sanitary bodies mentioned above, should at the same time be acceptable to Turkey. Animated by this desire the Allied delegates made a series of concessions, the nature of which may be seen by comparing the four draft schemes successively examined by the committee. It would not be possible to indicate exactly the changes of detail made in the original draft without unduly prolonging the present report. It will suffice to summarise the essential points of the fourth and last draft ("Projet 4"), the text of which is annexed to this report, examining separately (1) the points which the Turkish delegates have thought necessary to reject, and (2) those which they have been able to accept.

The final draft ("Projet 4") contains six articles. Article (A) and the first two paragraphs of article (B) have been rejected by the Turkish delegates. The third paragraph of article (B) and the four articles (C), (D), (E) and (F) have been accepted by them with certain reservations.

1. The articles rejected by the Turkish delegation contained proposals for the creation of a Straits sanitary committee, whose mandate would be limited to the administration, for a period of five years, of the sanitary service in the Straits. This committee was to be composed of four members, of whom one would be a Turkish doctor who would be the president, and three would be experts, also doctors, belonging to three different nationalities. The latter would be chosen by the Turkish Government from a list of six names, to be prepared jointly by the Health Committee of the League of Nations and the International Health Office. This proposal was put forward in order to emphasise the fact that the experts would no longer be representatives of the Powers or of their respective Governments, but would be representatives rather of international science and of the international prophylaxis of disease. The rate of their remuneration would have been determined by the Health Committee of the League of Nations and their stipends would have been paid out of the proceeds of the sanitary dues (see article (A)).

The Straits sanitary committee would have drawn up its own statutes and the statute of the sanitary personnel in the Straits. It would have prepared its own budget, and the Turkish Government would have undertaken to cover the expenses as fixed by that budget out of the proceeds of the sanitary dues collected in all Turkish ports, the Straits included. Finally, the committee would have been charged to draw up a code of sanitary regulations for the Straits in conformity with the international sanitary conventions, and these regulations were to have contained clauses, relating to the passage of the Straits, of such a nature that no delays would be caused thereby to shipping other than those justified by purely sanitary considerations (see first and second paragraphs of article (B)).

2. The articles accepted by the Turkish delegation deal with questions which, though of a secondary character, have nevertheless a certain importance.

It is laid down that one and the same sanitary tariff shall be applied to all ships without any distinction between Turkish and foreign flags, and to the subjects of foreign Powers under the same conditions as to Turkish subjects (see third paragraph of article (B)). The need for this clause has been shown by the recent application in Constantinople of a differential sanitary tariff, under which Turkish ships pay two piastres per ton, while foreign ships are compelled to pay five piastres per ton.

In article (C) Turkey undertakes to respect the right of dismissed sanitary employees to compensation out of the sanitary funds, and all other established rights of the sanitary employees and ex-employees and their heirs. This clause also was rendered necessary by the fact that the Turkish Government has recently dismissed without any compensation all non-Moslem sanitary employees. It is further agreed, in the same article, that all questions relating to the above rights, to the destination of the reserve funds of the former Constantinople Board of Health, to the financial and administrative liquidation of the former Sanitary Administration, and to the modality of the transition from the old to the new sanitary régime in Turkey, as well as all other similar or cognate questions, shall be settled by a commission *ad hoc*, whose decisions Turkey undertakes to accept. The commission will of necessity be composed of representatives of all the Powers formerly represented on the Constantinople Board of Health (Germany, Austria and Hungary excepted), since the funds, the destination of which the commission will be called upon to determine, have been furnished by the nationals of all those Powers. This Liquidation Commission will sit in Constantinople after the conclusion of peace and only for such time as may be necessary for deciding the above-named questions.

At the request of the Turkish delegation, the following clause was inserted into this article :—

> "It is agreed that the residue of the general reserve fund remaining after the above-named rights have been satisfied shall be utilised for the needs of the Turkish sanitary service, whether within the Straits or outside the Straits."

The Allied delegates had agreed to this clause at a moment when it seemed probable that their draft scheme would be accepted by the Turkish delegation. But, as the most important part of their scheme was later rejected, the British, French, Italian, Serb-Croat-Slovene and Roumanian delegates made reservations on this point—reservations not affecting the principle of the clause, but concerning the modality of its application and the moment that shall be chosen for transferring the sums in question to an administration where those who had contributed to the funds would no longer be represented.

Article (D) provides for the creation of a Pilgrimage Co-ordinating Sanitary Commission, to which the Turkish sanitary service and the Alexandria Maritime Sanitary and Quarantine Board shall each send a delegate.

Article (E) establishes reciprocal relations between that co-ordinating committee on the one hand and the Health Committee of the League of Nations and the International Health Office on the other.

A second paragraph of the same article would have established similar relations between the directing body of the sanitary service in Turkey and the same two great international organisations, but the Turkish delegation having rejected this proposal, the paragraph in question was deleted. The Allied delegates, however, expressed a *vœu* that such relations may be established in a not distant future.

Finally, under article (F), Turkey undertakes to ratify the International Sanitary Convention of 1912, with reservations as to articles 54, 88 and 90, and to adhere to the conventions upon opium, upon the repression of the traffic in women and children and upon the suppression of obscene publications. The Turkish delegation, however, have reserved their final reply as regards the conventions upon opium.

The report of the Technical Committee upon the matters set forth above was presented to the Sanitary Sub-Commission at its second meeting, held on the 10th January. Fresh endeavours were made to induce the Turkish delegation to accept the rejected articles. The fact was once more emphasised that the principal proposals of the Allies involve the setting up of a purely medical committee, without political powers and having no relation with capitulatory institutions, and that they represent the minimum of guarantees that could be demanded from Turkey for a purely humanitarian object—the defence, that is, of Europe against epidemics. The Turkish delegation, however, persisted in rejecting those proposals.

A proposal that the three experts provided for in the draft scheme should be attached to the Straits Commission and should be given the mere right of observation over the application of sanitary measures was rejected by the Allied delegates, as not being of a nature to satisfy the legitimate demands of the two great international sanitary organisations. On the other hand, an alternative proposal to the effect that the sanitary committee proposed in "projet 4" should take the form of a sub-committee of the Straits Commission, while retaining all the powers and rights defined in the rejected articles, was not accepted by the Turkish delegation.

In these circumstances, the president of the sub-commission expressed his regret that the Turkish delegation should persist in rejecting the Allies' proposals, in spite of their extreme moderation and although the Turkish delegates sitting on the Technical Committee had, up to the last moment, shown themselves inclined to accept them. As regards the main point of the draft scheme, the Allies have made very important concessions, in the desire to reconcile the demands of the international sanitary organisations of Geneva and Paris with the objections of the Turkish delegation. It might even be questioned whether they had not gone further than those two bodies would think desirable. Even so, if their project had been accepted, they would not have withdrawn their consent to the text, even in the attenuated form that has been given to it in the hope of reaching an agreement. That agreement not having been come to, the president considered it necessary to declare that the rejection of the main proposals of the Allies would have serious consequences, and that the responsibility for this refusal would fall solely upon the Turkish delegation. The Health Committee of the League of Nations, he added, and the International Health Office will be informed, firstly, of the proposals in question, which remain intact as they appear in "projet 4," and, secondly, of the rejection of those proposals by the Turkish delegation. It will be for those institutions to examine into the disagreement and to make proposals for such action as they may think it necessary to take in this matter.

F. G. CLEMOW (*Rapporteur*).

January 18, 1923.

Sub-Annex to Annex (A).

Text of Draft No. 4.—(January 8, 1923.)

Sanitary Organisation.

ARTICLE (A).

THE Constantinople Board of Health is abolished. The Turkish Administration is charged with the sanitary organisation on the coasts and frontiers of Turkey. A sanitary committee is, however, established charged with directing the personnel, lazarets and installations necessary for the sanitary defence of the Straits.

This committee will be composed of one Turkish diploma'ed doctor, who will be the president, and of three other diploma'ed doctors, who shall always belong to three different nationalities. These latter shall be chosen by the Turkish Government from a list of six names, prepared jointly by the Health Committee of the League of Nations and the International Office of Public Health. Whenever it shall be necessary to replace one or more of these experts, the list of doctors submitted to the choice of the Turkish Government shall contain at least twice as many names as there may be vacancies to fill.

The salaries of the members of the committee shall be paid out of the proceeds of the sanitary dues; the rate of those salaries will be determined by the Health Committee of the League of Nations.

The Straits Sanitary Committee shall cease to exist at the end of five years, unless the Turkish Government shall deem it necessary to prolong its existence.

ARTICLE (B).

The committee shall draw up its statutes and the statute of the sanitary personnel in the Straits; it shall prepare its annual budget, and the Turkish Government undertakes to cover the expenditure as fixed by that budget out of the proceeds of the sanitary dues collected in all Turkish ports, the Straits included.

The Straits committee shall issue a code of sanitary regulations for the Straits in conformity with the provisions of the international sanitary conventions. These regulations shall contain clauses, relating to the passage of the Straits, of such a nature that no delays shall be caused thereby to shipping other than those justified by purely sanitary considerations.

One and the same sanitary tariff shall be applied to all ships without distinction between Turkish and foreign flags, and to the subjects of foreign Powers under the same conditions as to Turkish subjects.

Article (C).

Turkey undertakes to respect to the full the right of dismissed sanitary employees to compensation, to be borne by the sanitary funds, and all other established rights of sanitary employees, ex-employees and their heirs. All questions relating to those rights, to the destination of the reserve funds of the former Board of Health of Constantinople, to the financial and administrative liquidation of the former sanitary administration and to the modality of the transition from the old to the new sanitary régime in Turkey, as well as all other similar and cognate questions, shall be settled by a commission *ad hoc*. It is agreed that the residue of the general reserve fund remaining after the above-named rights have been satisfied shall be utilised for the needs of the sanitary service in Turkey, whether within the Straits or outside the Straits.

This commission shall be composed of one representative of each of the Powers formerly represented on the Constantinople Board of Health, with the exception of Germany, Austria and Hungary.

Turkey undertakes to accept all the decisions of this commission.

Article (D).

Turkey and the Powers interested in the sanitary supervision of the pilgrimages to Jerusalem and the Hedjaz and of the Hedjaz Railway will apply the appropriate measures, in conformity with the provisions of the international sanitary conventions. In order to ensure complete uniformity in their application, those Powers and Turkey will set up a sanitary co-ordination committee for the pilgrimages, upon which the sanitary services in Turkey and the Sanitary Maritime and Quarantine Board of Alexandria shall be represented.

This committee must obtain beforehand the consent of the State upon whose territory it shall meet.

Article (E).

Reports on the work of the co-ordinating pilgrimage committee shall be addressed to the Health Commission of the League of Nations and to the International Office of Public Health and to the Government of any Power interested in the pilgrimages and who shall ask for such reports. The committee will give its advice upon any question that may be submitted to it by the League of Nations, by the International Office of Public Health or by interested Governments.

Article (F).

Turkey undertakes to ratify the International Sanitary Convention of the 17th January, 1912, with reservations as regards articles 54, 88 and 90.

Turkey undertakes to adhere :—

1. To the convention upon opium signed at The Hague on the 23rd January, 1912, and to the additional protocol of 1914.

2. To the conventions of the 18th May, 1904, and the 4th May, 1910, relative to the repression of the traffic in women.
3. To the convention of the 4th May, 1910, relative to the suppression of obscene publications.

ANNEX (B) TO NO. 38.

COMMISSION ON ECONOMIC AND FINANCIAL QUESTIONS: ECONOMIC SUB-COMMISSION.

Proposals presented by the British, French and Italian Delegations.

Property, Rights and Interests.

January 25, 1923.

ARTICLE 1.

THE property, rights and interests still existing or which can be identified in territory which was under Ottoman sovereignty on the 1st August, 1914, and which remains under Turkish sovereignty at the date of the present treaty, belonging to Allied nationals, who were not during the war Ottoman nationals, or to companies in which Allied interests are preponderant shall be immediately restored to the owners.

The same provision shall apply as regards Turkish property, rights and interests still existing or which can be identified in territory under the sovereignty of the Allied Powers on the 1st August, 1914.

The Governments of the high contracting parties will take all steps in their power to restore the owner, by a prompt administrative procedure, to the possession of his property, free from all encumbrances, or burdens, with which it may have been charged without his assent. They shall compensate all third parties injured by the restitution.

With this object all exceptional war measures or measures of transfer taken by the high contracting parties with respect to enemy property, rights and interests shall be immediately discontinued or stayed when liquidation has not been completed, and the claims of the owners shall be satisfied by the immediate restitution of their property as soon as this property has been identified.

All disputes relating to the identity of goods claimed or their restitution shall be submitted to the mixed arbitral tribunal established by section .

ARTICLE 2.

Turkey will facilitate, both by appropriate administrative measures and by delivery of all documents relating thereto, the search on her territory for, and the restitution of, movable property of every kind including money, deeds, and securities taken away, seized or sequestrated by her armies and her administrations on the territories of the other contracting Powers which are at present on Turkish territory or on that of her allies, to whom by treaties, grants or privileges of any kind, the above property may have been transferred by Turkey.

The search and restitution will apply also as regards property of the nature referred to above which may have been seized or sequestrated by the armies or administrations of the allies of Turkey on the territory of the other contracting Powers and which may have been assigned or granted by treaties or in any other way to Turkey or to her nationals.

Requests relating to this search and restitution shall be made to the Turkish Government by the Government concerned within six months of the coming into force of the present treaty.

ARTICLE 3.

The property, rights and interests which have been subjected to measures of transfer or to any exceptional measures by the authorities of the high contracting parties and which still exist, or can be identified, in territory under Ottoman sovereignty on the 1st August, 1914, and detached from the Ottoman Empire by the present treaty, and which belong to nationals of the high contracting parties, including former Ottoman nationals acquiring *ipso facto* the nationality of the Allied Power or of a new State in accordance with the provisions of the present treaty, shall be immediately restored to the owners by the Governments concerned.

This obligation to effect restoration will not apply to the property, rights and interests of Turkish nationals which have been subjected to exceptional war measures or acts of war by the Ottoman Government before the 30th October, 1918.

The Governments of the high contracting parties will take all steps in their power to replace by a prompt administrative procedure the displaced owner in possession of his property, free from all encumbrances or burdens with which it may have been charged without his assent.

With this object all exceptional war measures or measures of transfer taken by the high contracting parties with respect to enemy property, rights and interests, shall be immediately discontinued or stayed when liquidation has not been completed and the claims of the owners shall be satisfied by the immediate restitution of their property as soon as this property has been identified.

All disputes relating to the identity of goods claimed or their restitution shall be submitted to the mixed arbitral tribunal established by section . . . .

ARTICLE 4.

Every charge or tax or surtax which, without having been collected, in respect of Ottoman nationals, their property, rights and interests shall have been collected in respect of the persons of Allied nationals, their property, rights and interests, as well as every charge or tax of whatever nature or under whatever name which shall have been collected in respect of the said persons, their property, rights and interests or their economic activity contrary to the laws to which they were subject in Turkey at the time of the declaration of war, shall be returned to the said nationals or to the persons entitled for the whole of the period for which in accordance with the terms of the present article they have been improperly collected.

Payment of the said charges or taxes shall not be exacted from Allied nationals or Allied companies who have not paid them during the period of the war and up to the coming into force of the present treaty; nor shall payment be required of charges or taxes from which the said Allied nationals or companies may have been exempted by the Imperial Ottoman Government or the occupying authorities of the Allied Powers on Turkish territory.

ARTICLE 5

If the property, rights and interests of Turkish nationals which were situated on the 1st August, 1914, on the territory of the Allied Powers have suffered damage or prejudice owing to exceptional war measures or have been lawfully liquidated and for this reason have not been restored, the proprietor shall have the right to equitable compensation fixed, in default of agreement, by the mixed arbitral tribunal established by section . . . .

Nevertheless, with regard to property restored no claim shall be considered in respect of damages arising from measures of management, supervision or generally all measures of preservation taken in accordance with the laws and regulations of the country interested or, with regard to property liquidated, in respect of the fact of liquidation provided that the amount has been fairly obtained.

ARTICLE 6.

For the fulfilment of articles 1 to 5 claims or proceedings relating to restitution or compensation must be begun before the competent authorities within six months, and in default of an agreement before the mixed arbitral tribunal within eighteen months from the coming into force of the present treaty.

ARTICLE 7.

The provisions of this section are not to prejudice claims or suits made against the Ottoman Government before the 1st August, 1914, by the Governments of the other contracting parties or their nationals with regard to their property, rights and interests. These claims or suits will be continued against the Turkish Government under the same conditions.

ARTICLE 8.

If the property, rights and interests of Allied nationals (excluding Greek nationals) which were in territory under Ottoman sovereignty on the 1st August, 1914, no longer exist or have suffered damages resulting from acts of war, measures of requisition, measures of sequestration, transfer or confiscation or any harmful act or decision, the owner shall have the right to compensation which the Allied Powers will grant him out of the sums allocated for this object by article (Financial Clauses) and in accordance with procedure fixed by them.

ARTICLE 9.

The Turkish Government declares that it is ready to compensate fully companies established under a law other than that of an Allied Power in which Allied interests are preponderant in respect of damages resulting from all acts of war and from measures of requisition, sequestration or transfer and in general every act or omission of the Turkish Government which has involved for the said companies loss of enjoyment of their property or material prejudice.

The Turkish Government may offer to the said companies in the place of the whole or part of the compensation which is due to them economic advantages or privileges of any kind.

If no agreement is come to within one year of the coming into force of the present treaty between the Turkish Government and the said companies the question shall be submitted to a commission of three arbitrators, of whom one shall be nominated by the Turkish Government, the second by the claimant company and the third by agreement between the parties, or, in default of agreement, by the President of the Permanent Court of International Justice.

The arbitrators shall value in money the amount of the compensation due by the Turkish Government to the companies. They shall take into consideration, if necessary, whether any economic advantages offered by the Turkish Government to the company and accepted by it constitute an equitable compensation for these damages. The arbitrators may fix a balance in cash to be paid by the Turkish Government.

The decisions of the Arbitral Commission shall be final and immediately executory.

ARTICLE 10.

The Turkish Government and the Governments of territories detached from Turkey in accordance with the present treaty will proceed each within their own territory, on request being made in accordance with the conditions set out in the following paragraph, to liquidate the property, rights and interests belonging to Germany, Austria, Hungary and Bulgaria, or their nationals at the date of the coming into force of the present treaty.

The property, rights and interests to be liquidated will be notified in Turkey by the Reparation Commission established by the Treaties of Peace concluded with Germany, Austria, Hungary and Bulgaria. They will be notified in the territories detached from Turkey by the Governments exercising authority in those territories. This notification must be made within six months of the coming into force of the present treaty and the liquidation must be effected within one year from the date of the notification.

The proceeds of the liquidations, whether they have already been effected or not, shall be paid to the Reparation Commission established by the Treaty of Peace concluded with the State concerned if the property liquidated is the property of the German, Austrian, Hungarian or Bulgarian Government. It shall be paid directly to the owners if the property liquidated is private property.

Property, rights and interests with regard to which steps have already been taken in accordance with the provisions of article 260 of the Treaty of Peace with Germany and the corresponding articles of the Treaties of Peace with Austria, Hungary and Bulgaria will not be subject to liquidation in accordance with the present article.

Mixed Arbitral Tribunals.

ARTICLE 1.

Within three months from the date of the coming into force of the present treaty, a mixed arbitral tribunal shall be established between each of the Allied Powers, on the one hand, and Turkey, on the other hand. Each such tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The president shall be chosen by agreement between the two Governments concerned. In case of failure to reach agreement within two months from the coming into force of the present treaty, the president shall be appointed, upon the request of one of the Governments concerned, from among nationals of Powers which remained neutral during the war. by the President of the Permanent Court of International Justice at The Hague.

Further, if within the said period of two months one of the Governments concerned does not appoint a member to represent it on the tribunal, it shall be the duty of the Council of the League of Nations to proceed to the appointment of such member upon the request of the other Government concerned.

ARTICLE 2.

If the number of cases justifies it, additional members shall be appointed in order that each mixed arbitral tribunal may sit in several divisions. Each of these divisions shall be constituted in accordance with the provisions of article 1.

Each Government shall appoint one or more agents to represent it before the tribunal.

Each Government shall pay the remuneration of the member of the mixed arbitral tribunal appointed by it and of any agent whom it may appoint to represent it before the tribunal. The remuneration of the president will be determined by special agreement between the Governments concerned; and this remuneration and the joint expenses of each tribunal will be paid by the two Governments in equal moieties.

ARTICLE 3.

The mixed arbitral tribunals established pursuant to articles 1 and 2 shall decide all questions within their competence under articles . . . .

Decisions shall be taken by majority.

The high contracting parties agree to regard the decisions of the mixed arbitral tribunals as final and conclusive and to render them binding upon their nationals and to ensure their enforcement in their respective territories as soon as the decisions of the tribunals are notified to them, without it being necessary to have them declared executory.

The high contracting parties further undertake that their tribunals and authorities shall directly assist the mixed arbitral tribunals in every way that is in their power, particularly as regards the transmission of notices and the collection of evidence.

ARTICLE 4.

(I.)

Each mixed arbitral tribunal shall settle its own procedure. It shall decide the order and time at which each party must conclude its arguments and arrange all formalities required for dealing with evidence. The tribunal shall judge in accordance with law and equity.

(II.)

The agent and counsel of the parties on each side shall be authorised to present orally and in writing to the tribunal arguments in support of their case.

(III.)

The tribunal shall decide all questions and matters submitted upon such evidence and information as may be furnished by the parties concerned.

(IV.)

The language in which proceedings shall be conducted shall be that of the country in which the tribunal is situated, and French, and for the hearings shall be the language of the country in which the hearings take place, and French.

(V.)

The seat of each tribunal and the place and time for the hearings shall be determined by the president of the tribunal.

(VI.)

The tribunal shall keep the record of the cases submitted and of the proceedings thereon, with the dates of such proceedings.

(VII.)

Each of the Powers concerned may appoint a secretary. These secretaries shall act together as joint secretaries of the tribunal and shall be subject to its direction. The tribunal may appoint in addition any other officers that may be considered necessary.

(VIII.)

Should one of the members of the tribunal either die, retire, or be unable for any reason whatever to discharge his functions, the vacancy shall be filled in accordance with the principles and methods laid down in article 1.

In any of these cases the period of two months laid down in the two last paragraphs of article 1 shall begin to run from the death or retirement of the member or from the date on which it was established that he was unable to discharge his functions.

Contracts, Prescriptions and Judgments.

ARTICLE 1.

The following classes of contracts, entered into before the date mentioned in article 10 of the present section between persons who became enemies, as defined in that article, remain in force subject to the provisions of the contracts and to the conditions of the present treaty :—

(*a.*) Contracts having for their object the transfer or delivery of real property when the transfer or delivery had in fact taken place before the date mentioned above.
(*b.*) Leases and agreements for leases of land and houses.
(*c.*) Contracts relating to the exploitation of mines, forests or agricultural estates.
(*d.*) Contracts of mortgage, pledge or lien.
(*e.*) Contracts constituting companies, unless they have been dissolved in accordance with the national law of the Allied Power concerned.
(*f.*) Contracts entered into between individuals or companies and States, provinces, municipalities or other similar juridical persons charged with administrative functions.
(*g.*) Contracts relating to the family status.
(*h.*) Contracts relating to gifts and bounties of whatever kind.

The present article shall not have the effect of giving validity to contracts the provisions of which are contrary to the law of the country to which they are subject.

ARTICLE 2.

Insurance contracts will be dealt with in accordance with the provisions of the annex to the present section.

ARTICLE 3.

Contracts other than those set out in articles 1 and 2 entered into between enemies before the date when they became enemies, will be deemed to have been dissolved from that date.

Nevertheless, in the case of goods to be delivered, if the supplier proves that he had begun the execution of the contract before the said date and has suffered loss from the fact of its cancellation, he will have the right to claim, within six months from the coming into force of the present treaty, compensation from the other party to the extent of the loss suffered, and, in default of agreement, to have the amount fixed by the Mixed Arbitral Tribunal referred to in Section . . . .

ARTICLE 4.

As regards all contracts other than those enumerated in articles 1 and 2, either of the parties to the contract can claim its performance within six months from the coming into force of the present treaty on payment to the other party, if there is ground for it, of compensation based on the difference between conditions existing at the time the contract was entered into and those at the time when its maintenance is claimed. This compensation, in default of agreement between the parties, will be fixed by the Arbitral Tribunal, referred to in article . . . .

ARTICLE 5.

The validity of all compromises entered into between the parties to contracts referred to in articles 1, 2, 3 and 4 with a view particularly to the cancellation, the maintenance, the methods of execution or the modification of these contracts, including agreements relating to the currency of payment or the rate of exchange, is confirmed.

ARTICLE 6.

Contracts between Allied nationals and Turks, as well as contracts between Allied nationals and the Imperial Ottoman Government or the occupying authorities of the Allied Powers, entered into after the 30th October, 1918, are recognised as valid and subject to the general law. For the purpose of the present article, companies established under a law other than that of an Allied Power in which Allied interests are preponderant, shall be considered as Allied nationals.

ARTICLE 6A.

All disputes, whatever they may be, relating to contracts entered into before the coming into force of the present treaty, between Turkish nationals and Allied nationals will be determined by the Mixed Arbitral Tribunal. provided for in Section , with the exception of disputes which, in accordance with the laws of neutral Powers are within the competence of the national tribunals of such Powers. In these cases the disputes will be settled by the national tribunals to the exclusion of the Mixed Arbitral Tribunal.

ARTICLE 7.

All periods of prescription or limitation of right of action, whether they began to run before or after the outbreak of war, shall be treated, in the territory of the high contracting parties so far as regards relations between enemies, as having been suspended from the 29th October, 1914, until the expiration of three months after the coming into force of the present treaty. This provision applies, in particular, to periods prescribed in laws, regulations and decrees relating to concessions and licences of every kind, as well as to periods for the presentation of interest or dividend coupons, or for the presentation for payment of securities drawn for repayment, or repayable on any other ground.

Having regard to the provisions of the law of Japan, this article and article 2 do not apply to contracts between Japanese nationals and Turkish nationals.

ARTICLE 8.

As between enemies, no negotiable instrument made before the war shall be deemed to have become invalid by reason only of the failure within the required time to present the instrument for acceptance or payment, or to give notice of non-acceptance or non-payment to drawers or endorsers, or to protest the instrument, nor by reason of failure to complete any formality during the war.

When the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawers or endorsers, or within which the instrument should have been protested, has lapsed during the war, and the party who should have presented the instrument, or have given notice of non-acceptance or non-payment, has failed to do so during the war, a period of not less than three months from the coming into force of the present treaty shall be allowed within which the presentation, notice of non-acceptance or non-payment, or protest may be made.

ARTICLE 9.

Judgments given or measures of execution ordered during the war by any Ottoman judicial or administrative authority, which, on the 1st August, 1914, was not competent to exercise jurisdiction, with regard to the rights of a person who was then a national of an Allied Power, or the rights of a company in which Allied interests were preponderant, shall be subject to revision on the application of such national or company to the arbitral tribunal provided for in article . . . .

In such case, the parties shall, if it is possible and equitable, be replaced in the situation which they occupied before the judgment was delivered or the measure of execution ordered by the Ottoman authorities. If not, the national of an Allied Power, or the company in which Allied interests were preponderant, which has suffered damage from the judgment or execution, shall obtain such compensation as the arbitral tribunal shall consider equitable. This compensation will be paid by the Turkish Government.

ARTICLE 10.

The sale of real property mortgaged, or of a security held under contracts entered into before the war for an unpaid debt, owing by an enemy, shall be deemed to have been valid irrespective of notice to the owner if the creditor acted in good faith and with reasonable care and prudence. In this case no claim by the debtor, on the ground of the sale, shall be admitted.

If, however, the creditor has not acted in good faith and with reasonable care and prudence, the arbitral tribunal referred to in article . . . . may, on the application of the debtor, fix the compensation to be paid to him by the creditor.

ARTICLE 11.

Within the meaning of the present section, the parties to a contract shall be regarded as enemies from the date on which trading between them became impossible in fact, or was prohibited or otherwise became unlawful under laws, orders or regulations to which one of these parties was subject.

Nevertheless, the special provisions in articles 1, 2, 3, 4, 7 and 8 do not apply to contracts entered into in an enemy country with enemy nationals by nationals of Allied Powers or of Turkey who stayed in the country during the war and there freely disposed of their persons and their property. These contracts will be subject to the general law.

Life Assurance.

1. Life assurance contracts entered into between an insurer and a person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war or by the fact of the person becoming an enemy.

Every sum which, during the war, became due upon a contract deemed not to have been dissolved in accordance with the preceding paragraph shall be recoverable after the war. This sum shall be increased by interest at 5 per cent. per annum from the date of its becoming due up to the day of payment.

If the contract has lapsed during the war, owing to non-payment of premiums, or has become void from breach of the conditions of the contract, the assured, or his representatives, or the persons entitled, shall have the right at any time within twelve months from the coming into force of the present treaty to claim from the insurer the surrender value of the policy at the date of its lapse or avoidance, together with interest at 5 per cent. per annum.

Turkish nationals whose life insurance contracts entered into before the 29th October, 1914, have been cancelled or reduced before the treaty, for non-payment of premiums in accordance with the provisions of the said contracts, shall have the right, within three months from the coming into force of the present treaty, if they are still alive, to restore their policies for the whole of the amount assured. For this purpose they must, after having passed a medical examination before the doctor of the company, which the company considers satisfactory, pay the premiums in arrear with interest at 5 per cent.

2. It is understood that life assurance contracts in money other than the Turkish pound, entered into before the 29th October, 1914, between companies of an Allied Power and Turkish nationals, in respect of which the premiums have been paid before and after the 30th March, 1915, or even only before that date, shall be regulated, first, in determining the rights of the assured in accordance with the general conditions of the policy for the period before the 30th March, 1915, in the money stipulated in the contract at the current rate in its country of origin (for example, every amount stipulated in francs, in gold francs or in " francs effectifs " will be paid in French francs), secondly, in Turkish paper pounds—the Turkish pound being estimated at the pre-war par value—for the period after the 30th March, 1915.

If Turkish nationals whose contracts were entered into in currency other than Turkish currency, show that they have continued to pay their premiums since the 30th March, 1915, in the money stipulated in the contracts, the said contracts shall be settled in the same currency at the current rate in its country of origin, even for the period after the 30th March, 1915.

Turkish nationals whose contracts, entered into before the 29th October, 1914, in currency other than Turkish currency with companies of the nationality of an Allied Power are, owing to payment of premiums, still in force, shall have the right within three months after the coming into force of the present treaty to restore their policies for the full amount, in the currency stipulated in their contract, at the current rate in its country of origin. For this purpose they must pay in this currency the premiums which have become due since the 30th March, 1915. On the other hand, the premiums actually paid by them in Turkish paper pounds since that date will be repaid to them in the same money.

3. As regards insurances in Turkish pounds, settlement shall be made in Turkish paper pounds.

4. The provisions of paragraphs 2 and 3 do not apply to policy holders who, by an express agreement, have already settled with the insurance companies the fixation of the value of their policies and the method of payment of their premiums, nor to those whose policies have been finally settled at the date of the coming into force of the present treaty.

5. For the purposes of the preceding paragraphs, insurance contracts shall be considered as contracts of life insurance when they depend on the probabilities of human life, combined with the rate of interest, for the calculation of the reciprocal engagement between the two parties.

Marine Insurance.

6. Subject to the provisions therein contained, contracts of marine insurance will not be deemed to have been dissolved where the risk had attached before the parties became enemies, provided

that the policy shall not be deemed to cover losses due to belligerent action by the Power of which the insurer was a national or by the Allies of that Power.

Fire and other Insurances.

7. Subject to the provisions set out in the preceding paragraph, fire insurance contracts and all other forms of insurance contracts are not deemed to be dissolved.

Concessions.

ARTICLE 1.

Allied subjects holding concessions granted before the 29th October, 1914, by the Ottoman Government or any local authority in territory remaining Turkish under the present treaty, shall be replaced by the Turkish Government in complete possession of the rights and shall undertake all the obligations resulting from the original concession contract and any subsequent agreements prior to the 29th October, 1914.

All conventions or contracts relating to concessions made between Turkey and Allied subjects, and any agreements and decisions in regard thereto, prior to the 29th October, 1914, are also confirmed if they have begun to be put into operation, or have formed the object of agreements between the Ottoman Government, notwithstanding the non-fulfilment by Turkey of all the conditions requisite for their final confirmation.

The period for which any concession is valid and any time-limit provided for under a concession, shall be prolonged by a period equal to the interval between the 29th October, 1914, and the date of the coming into force of the present treaty.

Account shall, however, be taken of such prolongation in the assessment of the compensation to be accorded to concessionaires in accordance with article 8 (Property, Rights and Interests), and also in the readaptation referred to in the following paragraph.

If the concessions, conventions and agreements referred to above do not correspond with the new economic conditions, the Turkish Government and the concessionaires shall agree upon a revision and readaptation in accordance with these new conditions.

Failing agreement between the parties upon the conditions of such readaptation within one year from the coming into force of the present treaty, the matter shall be referred to three arbitrators, of whom one shall be chosen by the concessionaire, the second by the Turkish Government, and the third, failing agreement between those concerned by the president of the Permanent Court of Justice.

Agreements made since the 30th October, 1918, between the Ottoman Government and the holders of contracts and concessions referred to in the present article are confirmed.

The Turkish Government undertakes to maintain or to replace Allied subjects in the same position as regards rights and obligations as that provided for by the concessions acquired by them directly or as successors of the original concessionaires and by the licences and contracts relating to such concessions.

All legislative or other provisions subsequent to the 29th October, 1914, which conflict with the rights referred to in the present article are null and void.

ARTICLE 2.

In order to ensure the conversion of the railways in which Turkish or Allied interests are not preponderant into a Turkish State railway system, the Turkish Government shall within one year from the coming into force of the present treaty, either purchase or expropriate the said railways. If the Turkish Government decides to expropriate these railways, an arbitrator chosen by the League of Nations shall decide upon the amount of the compensation to be paid to the concessionaire in accordance with the true present value of the system, less the value of works carried out since the 30th October, 1918.

The Allied Governments whose nationals have preponderating interests in the railway systems shall, so far as they are concerned, facilitate the conversion referred to in the preceding paragraph. The nature of this assistance and the method of this conversion shall be determined by subsequent agreements. A share in the organisations formed to exploit these railways shall be reserved for Turkish capital at least equal to the share of the largest foreign group.

ARTICLE 3.

In all territories detached from Turkey either as a result of the Balkan wars in 1913, or under the present treaty, the State which acquires the territory shall *ipso facto* succeed to the duties and liabilities of Turkey towards the concessionnaires and holders of contracts referred to in article 1, and shall maintain the guarantees granted or assign equivalent guarantees.

This succession shall take effect, in the case of each acquiring State, as from the coming into force of the treaty under which the cession was effected. Such State shall take all necessary steps to ensure the uninterrupted working of the concessions and carrying out of the contracts.

Nevertheless, as from the coming into force of the present treaty, negotiations may be entered into between the acquiring States and the holders of concessions or contracts with a view to a mutual agreement for bringing such concessions and contracts into conformity with the new economic conditions.

In such readaptation, account shall be taken of any liabilities imposed on the concessionaires by the necessity of conforming with the legislation of such States.

Should agreement not have been reached upon the conditions of readaptation within six months, the State or the holder of the concessions or contracts will submit the dispute to arbitration in accordance with the procedure referred to in article 1.

ARTICLE 4.

The Allied Powers shall not be bound to recognise in territory detached from Turkey the validity of the grant or transfer of any concession by the Ottoman Government or by local Ottoman authorities, effected after the 29th October, 1914.

ARTICLE 5.

In pursuance of article 155 of the Treaty of Peace with Germany and the corresponding articles in the Treaties of Peace with Austria, Hungary and Bulgaria, all concessions or rights in concessions granted in Turkey between the 1st August, 1914, and the date of the coming into force of the present treaty in favour of German, Austrian, Hungarian or Bulgarian nationals or companies in which the interests of such nationals are preponderant, are hereby annulled.

ARTICLE 6.

Any company incorporated in accordance with Ottoman law and operating in a territory detached from Turkey either as a result of the Balkan wars, or under the present treaty, in which Allied interests are preponderant, shall have the right within five years from the coming into force of the present treaty, to transfer its property, rights and interests to another company incorporated in accordance with the law of the State exercising authority in the territory in question, or with the law of the Allied State whose nationals control the company. The company to which such property, rights and interests are transferred will continue to enjoy the same rights and privileges as the other company enjoyed including those conferred by the provisions of the present treaty.

The foregoing provisions do not apply to companies holding public utility concessions which continue to operate partly in Turkish territory.

The companies to which the property, rights and interests of Ottomon companies are transferred under the present article shall not be subject in territory detached from Turkey to any special tax on account of this transfer, or on account of their formation with a view to this transfer, except in so far as this provision may be inconsistent with international conventions in force. The same provision shall apply in the territory of the contracting Power the nationality of which is taken by such companies unless this Power raises objection to such exemption in view of its own legislation.

ARTICLE 7.

Companies formed under a law other than that of an Allied Power, in which Allied subjects or Allied groups held a preponderating interest, shall enjoy the benefit of the provisions of articles 1 to 3 upon the same terms as Allied subjects.

Debts.

Debts in Ottoman currency, other than the Ottoman Public Debt referred to in article and Annex of the present treaty, between the Ottoman Government or its nationals resident in Turkish territory on the coming into force of the present treaty, on the one hand, and the Governments of the Allied Powers or their nationals who were not on the 1st August, 1914, Ottoman nationals or resident or carrying on business in Turkey, on the other hand, shall be paid or credited in the currency of such one of the Allied Powers, their colonies or protectorates, or the British Dominions or India, as may be concerned, whether such debts became payable before the war, or became payable during the war and arose out of transactions or contracts of which the total or partial execution was suspended on account of the war.

The same provisions shall apply to debts in Ottoman currency of the Allied Governments and their nationals not resident or carrying on business in Turkey to the Ottoman Government or its nationals resident in Turkey.

The rate of exchange to be applied shall be the pre-war rate of exchange. For the purpose of this provision the pre-war rate of exchange shall be defined as the average cable transfer rate prevailing in the Allied country concerned during the month immediately preceding the outbreak of hostilities between the said Power and Turkey.

Debts in Ottoman currency between Allied subjects resident or carrying on business in Turkey on the 1st August, 1914, and Turkish nationals, shall be settled in Turkish currency.

If debts on either side are expressed as payable in a currency other than Ottoman currency, the debts shall be settled in the currency stipulated in the contract at the current rate in its country of issue.

The provisions of the present article shall not apply to debts settled by agreement between the parties before the coming into force of the present treaty without any express reserve having been made as regards rate of exchange.

The provisions of the present article as regards rate of exchange shall not affect debts due to or from persons resident in territories detached from Turkey in accordance with the present treaty.

Ottoman companies in which Allied nationals hold the preponderating interest shall be considered as Allied nationals for the purpose of the present article.

Industrial, Literary and Artistic Property.

ARTICLE 1.

Subject to the stipulations of the present treaty rights of industrial, literary and artistic property as they existed on the 1st August, 1914, in accordance with the legislation of each of the contracting countries, shall be re-established or restored as from the coming into force of the present treaty in the territories of the high contracting parties in favour of the persons entitled to the benefit of them at the moment when the state of war commenced or their legal representatives. Equally, rights which, except for the war, would have been acquired during the war in consequence of an application legally made for the protection of industrial property, or the publication of a literary or artistic work, shall be recognised and established in favour of those persons who would have been entitled thereto from the coming into force of the present treaty.

Without prejudice to the rights which are required to be restored in accordance with the above provision all acts (including the grant of licences) done by virtue of the special measures taken during the war under legislative, executive or administrative authority of any Allied Power in regard to the rights of Turkish nationals in industrial, literary or artistic property shall remain in force and continue to have their full effect. This provision applies *mutatis mutandis* to corresponding measures taken by Turkish authorities in regard to the rights of the nationals of any Allied Power.

ARTICLE 2.

A minimum of one year from the coming into force of the present treaty without surtax or penalty of any kind shall be accorded to Turkish nationals on the territory of each of the other contracting Powers, and to the nationals of these Powers in Turkey, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States relating to the preserving or obtaining or opposing rights to industrial property already acquired on the 1st August, 1914, or which, except for the war, might have been acquired since that date as a result of an application made before the war or during its continuance.

Rights to industrial property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment shall revive, but subject, in the case of patents and designs, to the imposition of such conditions as each Power may deem reasonably necessary for the protection of the rights of third parties who have manufactured or made use of patents or designs while they had lapsed.

The period from the 1st August, 1914, until the coming into force of the present treaty shall be excluded in considering the time within which a patent should be worked or a trade-mark or design used, and it is further agreed that no patent, trade-mark or design in force on the 1st August, 1914, shall be subject to revocation or cancellation by reason only of the failure to work such patent or use such trade-mark or design for two years after the coming into force of the present treaty.

ARTICLE 3.

No action shall be brought and no claim made on the one hand by Turkish nationals or persons residing or carrying on business in

Turkey, and on the other hand by nationals of the Allied Powers or persons residing or carrying on their business on the territory of those Powers, nor by anyone deriving title during the war from such persons, by reason of any action which has taken place within the territory of the other party between the date of the existence of a state of war and that of the coming into force of the present treaty which might constitute an infringement of the rights of industrial property or rights of literary or artistic property either existing at any time during the war, or revived under the provisions of article 1.

Among the actions referred to above are included the use by the Governments of the high contracting parties, or by any person for account of these Governments, or with their consent, of rights of industrial, literary or artistic property, as well as the sale, offering for sale or the use of products, apparatus, or any articles whatsoever to which these rights apply.

Article 4.

Licences in respect of the use of industrial property, or the reproduction of literary or artistic works, concluded before the war between nationals of the Allied Powers, or persons residing in their territories, or carrying on business therein, on the one hand and Turkish nationals on the other hand, shall be considered as cancelled as from the date of the existence of a state of war between Turkey and the Allied Power. But in any case, the former beneficiary of a contract of this kind shall have the right within a period of six months from the coming into force of the present treaty to demand from the proprietor of the rights the grant of a new licence, the conditions of which, in default of agreement between the parties, shall be fixed by the mixed arbitral tribunal. The tribunal may, if necessary, fix also the amount which it may deem just should be paid by reason of the use of the rights during the war.

Article 5.

The inhabitants of territories detached from Turkey under the present treaty shall, notwithstanding this transfer and the change of nationality consequent thereon, continue to enjoy in Turkey all the rights in industrial, literary and artistic property to which they were entitled under Ottoman legislation at the time of the transfer.

Rights of industrial, literary and artistic property which are in force in the territories detached from Turkey under the present treaty at the moment of the transfer, or which will be re-established or restored in accordance with the provisions of article above, shall be recognised by the State to which the said territory is transferred, and shall remain in force in that territory for the same period of time as that given to them under Ottoman law.

Article 6.

All grants of patents and registrations of trade-marks, as well as all registrations of transfers or assignments of patents or trade-marks, duly effected since the 30th October, 1918, by the Imperial Ottoman Government at Constantinople or elsewhere are confirmed.

Provisions applying to the Whole of the Economic Clauses.

In this part the expression "Allied Powers" means the contracting Powers other than Turkey; and the term "Allied nationals" includes physical persons, companies and associations of the contracting Powers other than Turkey, or of a State or territory under the protection of one of the said Powers.

The provisions of this part relating to the said Allied nationals apply equally to persons under the protection of the said Powers mentioned above, whose patent of protection is of earlier date than the 1st August, 1914, if during the war they suffered damage from the fact of the protection which they enjoyed.

ANNEX (C) TO NO. 38.

Counter-proposal presented by the Turkish Delegation respecting Property, Rights and Interests (January 27, 1923).

ARTICLE 1.

THE property, rights and interests still existing or which can be identified in territory which was under Ottoman sovereignty on the 29th October, 1914, and which remains under Turkish sovereignty at the date of the present treaty, belonging to nationals of the Allied Powers who were not during the war Turkish nationals shall be immediately restored to the owners.

The same provision shall apply as regards Turkish property, rights and interests, including those forming part of the private estate of the Turkish State, of the Crown and of the Civil List, still existing or which can be identified in territory under the sovereignty of or occupied by the Allied Powers and Greece.

With this object, all exceptional war measures or measures of transfer taken by the high contracting parties with respect to enemy property, rights and interests shall be immediately discontinued or stayed when liquidation has not been completed, and the claims of the owners shall be satisfied by the immediate restitution of their property as soon as this property has been identified.

All disputes relating to the identity of goods claimed or their restitution shall be submitted to the mixed arbitral tribunal established by the section.

Each of the high contracting parties will take all steps in its power to facilitate by a prompt procedure the restitution of the property, rights and interests of the nationals of the other party on its territory, which may have been removed by private persons.

Article 2.

Each of the high contracting parties will facilitate, both by appropriate administrative measures and by delivery of all documents relating thereto, the search on her territory for, and the restitution of, movable property taken away, seized or sequestrated by her armies and her administrations or by those of her allies on the territories of the other party.

Requests relating to this search and restitution shall be made to each of the high contracting parties by the other party within six months of the coming into force of the present treaty.

Article 3.

The property, rights and interests which have been subjected to measures of transfer or to any exceptional measures by the authorities of the high contracting parties and which still exist, or can be identified, in territory under Ottoman sovereignty on the 29th October, 1914, and detached from the Ottoman Empire by the present treaty, and which belong to nationals of the high contracting parties, including former Ottoman nationals, acquiring *ipso facto* the nationality of a new State in accordance with the provisions of the present treaty, shall be immediately restored to the owners by the Governments of the said detached territories.

The same will apply to the property and interests forming part of the private estate of the Turkish State as well as to those belonging to the Civil List and to the Crown, including the Hedjaz Railway.

All exceptional war measures or measures of transfer taken by the high contracting parties with respect to enemy property, rights and interests shall be immediately discontinued or stayed when liquidation has not been completed and the claims of the owners shall be satisfied by the immediate restitution of their property as soon as this property has been identified.

All disputes relating to the identity of goods claimed or their restitution shall be submitted to the mixed arbitral tribunal established by Section .

The Governments of the territories detached from Turkey will take all steps in their power to facilitate, by a prompt procedure, the restitution of the property, rights and interests of the nationals of the interested Government which may have been removed by private persons.

Article 4.

[Article 4 of the Allied draft is suppressed.]

[Article 5 of the Allied draft.]

If the property, rights and interests of Turkish nationals, including those forming part of the private estate of the Turkish State, of the Crown and of the Civil List, which were situated on the 29th October, 1914, on the territory of the Allied Powers or on a territory, whether detached or not from the Ottoman Empire but occupied by the said Powers, excluding territories which have been occupied by Greece, no longer exist, or have suffered damage resulting either from acts of war, or from measures of requisition, of sequestration, transfer, liquidation or confiscation, or from any harmful action or decision, the owner shall have the right to compensation which the Allied Powers shall grant and which shall be fixed, in default of agreement, by the mixed arbitral tribunal established by Section .

The same shall apply to compensation for property, rights and interests of nationals of Allied Powers (excluding Greek nationals) who were on territory remaining under Turkish sovereignty at the date of the present treaty.

It is understood that the Turkish Government shall not be held responsible for any claim relating to actions committed during the time that Turkish territory was occupied respecting the property, rights and interests of Allied nationals situated in those territories.

ARTICLE 5.

For the fulfilment of articles 1 to 4 above, claims or proceedings relating to restitution or compensation must be begun before the competent authorities within six months, and in default of an agreement before the mixed arbitral tribunal within eighteen months from the coming into force of the present treaty.

ARTICLE 5 (*a*).

The provisions of this section are not to prejudice claims or suits made against each of the Governments of the high contracting parties before the 29th October, 1914, by the Government of the other party or their nationals respecting property, rights and interests. These claims or suits shall be continued in accordance with local laws.

ARTICLE 6.

If Turkish property, rights and interests, which were situated on territory occupied by the Greek armies, no longer exist or have suffered damages resulting from acts of war, measures of requisition, sequestration, transfer or confiscation, or any harmful act or decision, the owner shall have the right to compensation which Turkey shall grant him out of the sums allocated for this object by article 1 (financial clauses) and in accordance with the procedure fixed by her.

ANNEX (D) TO No. 38.

Counter-Draft presented by the Turkish Delegation respecting Assurance Contracts.

ARTICLE 1.

FIRE assurance contracts, entered into between persons who subsequently became enemies, shall not be deemed to have been dissolved by the outbreak of war or by the fact of the person becoming an enemy or by the fact that one of the parties has not fulfilled a clause of the contract during the war or during a period of three months after the coming into force of the present treaty.

If on account of an administrative or legislative action a fire assurance, concluded prior to the war, has been transferred during the war from the original assurer to another assurer, the transfer shall be recognised and the responsibility of the original assurer shall be considered as having ceased as from the date of transfer.

The settlement of premiums and of compensation shall be carried out in accordance with the provisions of the article (Debts) in the currency of the interested Allied Power at the pre-war rate of exchange, and the place of residence of the contracting parties shall not be taken into consideration.

ARTICLE 2.

Life assurance contracts, entered into between an assurer and a person who subsequently became an enemy, shall not be deemed to have been dissolved by the outbreak of war or by the fact of the person becoming an enemy or by the fact that one of the parties has not accomplished a clause of the contract during the war or during a period of three months after the coming into force of the present treaty. Any sum which became due during the war in accordance with the terms of a contract which, in accordance with the preceding paragraph, is not deemed to have been dissolved shall be recoverable after the coming into force of the present treaty. This sum shall be increased by 5 per cent. per annum from the date of its becoming due up to the date of payment.

Turkish insured persons shall have the right to cancel or to maintain assurance contracts. The regulation of the value of the policy, as well as the payment of premiums in arrear or which are due, shall be made in accordance with the provisions of article 3 below.

ARTICLE 3.

Life assurance contracts entered into before the date of the declaration of war between companies of an Allied Power and Turkish nationals in respect of which premiums have been paid before and after that date or even only before that date shall be regulated in determining the assured capital for the period prior to the 18th October, 1915, in the currency of the interested Allied Power at the pre-war rate of exchange and in Turkish pounds for the period after the 18th October, 1915. If the Turkish nationals show that they have continued since the 18th October, 1915, to pay their premiums in the currency of the interested Allied Power, those contracts shall be regulated in that same currency for the period subsequent to the above-mentioned date.

The insured who shall opt for the maintenance of an assurance contract shall have the right to pay the premiums in arrear or which are due in the currency of the interested Allied Power at the pre-war rate of exchange in order to re-establish their policy for the full amount. On the other hand, the premiums which shall have been paid by them since the 18th October, 1915, in Turkish money, will be repaid to them.

In the event of the insured desiring to pay the said premiums, which are in arrear or are due, in Turkish money, the final regulation of the insured capital shall be carried out in accordance with the provisions of paragraph 1 of the present article.

ARTICLE 4.

Insured persons who have already regulated, even by an express agreement, their assurance contracts before the date of the coming into force of the present treaty shall, during a period of three months as from the said date, have the right to take advantage of the provisions of the articles 1, 2, 3 above.

ANNEX (E) TO No. 38.

Draft Convention with Turkey respecting the Commercial Régime.

GREAT BRITAIN, France, Italy, Japan, Greece, Roumania, and the Serb-Croat-Slovene State of the one part and Turkey of the other part, considering unanimously that the commercial régime resulting from the former Capitulations no longer corresponds to the economic progress of Turkey, and being animated with a desire to establish their economic relations on a basis of equity and under conditions most likely to encourage commerce and to facilitate trade, have resolved to conclude a convention for this purpose and have appointed the following to be their plenipotentiaries:—

who, having shown their full powers, found in good and due form, have agreed as follows:—

ARTICLE 1.

From the coming into force of the present convention, the commercial régime arising from the Capitulations as well as from the convention of the 25th April, 1907, revised on the 23rd April, 1911, is abrogated between Turkey and the other contracting Powers.

Section I.

ARTICLE 2.

From the coming into force of the present convention, the tariffs applicable on the importation into Turkey of the produce or manufactures originating in and imported from the territories of the other contracting countries shall be those of the Ottoman specific tariff which came into operation on the 1st September, 1916, payable in Turkish money.

Article 3.

The coefficients of increase applicable to the duties prescribed by the tariff of 1916, payable in paper money, shall be those which were in force on the 15th December, 1922.

Nevertheless, the articles the importation of which was prohibited on that date or which were submitted to a coefficient greater than 12, shall be subject to that coefficient. Articles set out in the Schedule (Annex I) shall be submitted to the coefficient of 8. The coefficients specified above shall be maintained unless the average difference between the Turkish paper pound and the Turkish gold pound during one month has shown an increase or decrease of at least 30 per cent. in comparison with the difference which existed at the date of the coming into force of the present treaty. In this case, and after each increase or decrease to the same extent in the value of Turkish currency, Turkey shall diminish or shall have the right to increase the coefficients in proportion to the appreciation or depreciation shown by the average monthly exchange.

Nevertheless, in case of the appreciation of her currency, Turkey shall not be obliged to reduce the coefficient 5 with regard to the duties which are actually submitted to that coefficient until this coefficient exceeds the coefficient corresponding to the depreciation in value of Turkish currency as compared with gold.

In the event of a monetary reform, the various coefficients fixed above will be modified to the extent of the difference between the new currency and the old in such a way as not to alter the incidence of these customs duties.

Article 4.

Turkey undertakes to abolish from the coming into force of the present convention, and not to re-establish during its continuance, all prohibitions of import and export, except those which may be necessary—

1. To maintain the resources indispensable for the victualling and the economic activity of the nation.
2. To ensure the security of the State.
3. To protect persons, animals and plants against contagious diseases, and diseases of animals and plants.
4. To prevent the use of opium and other poisons.
5. To prohibit the import of alcoholic products, the use of which is forbidden in the country.
6. To prevent the export of gold money or gold metal.

Subject to equitable reciprocity being accorded to her by each of the other contracting Powers in accordance with its legislation, Turkey undertakes to apply the prohibitions without discrimination of any kind, and in the event of her granting exemptions or licences in respect of prohibited goods, not to favour in any way the trade of any contracting Power or of any other Power to the prejudice of the trade of any contracting Power.

ARTICLE 5.

No excise consumption, octroi, or any other duty or tax, internal or local, shall be applicable in Turkey to goods originating or emanating from the other contracting countries, except to the extent to which it is exacted in respect of identical and similar articles of which there is a substantial production in Turkey.

Nevertheless, Turkey may continue to exact under the same conditions of equality between her nationals and the nationals of other contracting countries, the consumption duties set out in Schedule 2.

ARTICLE 6.

Subject to an equitable reciprocity being accorded to Turkey by each of the other contracting Powers in accordance with its legislation, every export duty, which Turkey may have imposed or may impose on any goods, natural or manufactured, shall be applied equally whatever the country of destination. No discrimination to the prejudice of the commerce of any one of the contracting Powers shall be established by any means, direct or indirect, or by any surtax or exemptions of any nature, or under any name whatsoever.

ARTICLE 7.

The benefit of the provisions of articles 2–6 above is granted in Turkey for a period of five years from the coming into force of the present convention to each of the contracting Powers, who will further benefit from any more favourable treatment in respect of the matters referred to in the said articles which Turkey may grant to any other country, whether by virtue of previous conventions or of new measures and conventions, except such advantages as regards tariffs or generally in regard to commercial matters which Turkey may grant to any one of the territories detached from Turkey under the Treaty of Peace of even date.

ARTICLE 8.

The benefit of the provisions of articles 2–7 above cannot be claimed by any of the contracting Powers which does not grant to Turkey during the same period of five years a treatment as favourable as that which it can grant to other foreign countries in accordance with the terms of its legislation.

ARTICLE 9.

The provisions of this section remain in force for a period of five years. At the request of any other contracting Power, made before the expiration of this period, Turkey undertakes to initiate at any time, and actively to proceed with, negotiations for the conclusion of treaties of commerce.

These treaties will be concluded without infringing the equitable treatment of commerce provided for by article 23 (*e*) of the Covenant of the League of Nations.

Sub-Annex I to Annex (E).

List of Articles subject to the Coefficient 8.

65. Potatoes.
69. Oranges.
121. Sugared goods.
130. Mineral waters.
178. Varnished leather.
180. Pigskins.
185, 187, 188. Footwear.
192. Gloves.
200, 201. Peltry, raw or worked.
217, 218. Furniture.
270. Such articles as are at present prohibited.
273, 274, 275. Embroidery, lace, and cotton ribbons.
302. Silk waste.
305. Gauze, &c.
306. Silk tulle, &c.
308. Silk tissues.
311, 312. Silk hosiery.
314. Silk passementerie.
324. Woollen shawls and belts.
339. Clothing.
348. Umbrellas, parasols, &c.

Sub-Annex II to Annex (E).

Consumption Duties.

Tea	40 piastres per kilog.
Coffee	20 ,, ,, ,,
Petroleum	6 ,, ,, ,,
Rice	10 ,, ,, ,,
Margarine	80 ,, ,, ,,
Stearine candles	30 ,, ,, ,,
Common soap	5 ,, ,, ,,
Sacks, old and new ...	5 ,, ,, ,,
Spices	30 ,, ,, ,,
Matches	½ piastre per box.
Wax matches	1 ,, ,, ,,
Cigarette paper	1 piastre per 50 sheets.
Tinder boxes	25 piastres per tinder box.
Sugar	15 piastres per kilog.
Biscuits	Subject to a consumption tax according to percentage of sugar they contain.
Chocolate	
Condensed milk	
Sweetstuffs	
Non-alcoholic beverages (mineral waters and lemonades)	

Section II.

ARTICLE 10.

Turkey undertakes, on condition that reciprocity is accorded in this matter, to grant to the ships of the other contracting Powers a treatment equal to that which she accords to national ships, or any more favourable treatment that she grants or may grant to the ships of any other Power.

The right of the high contracting parties is expressly recognised of reserving to the national flag fishing, maritime cabotage. that is to say, transport by sea of goods embarked in a port of one national territory for another port in the same territory and port services, that is to say, towage, pilotage and all interior services of whatever nature they may be.

If Turkey reserves for her national flag maritime cabotage and fishing, she may, nevertheless, in this respect grant special treatment to the flag of any one of the territories detached from Turkey by the treaty of even date, without the benefit of this treatment being able to be claimed by other flags.

As a transitory provision Turkey will permit for a period of five years the transport of goods and passengers from one Turkish port to another Turkish port by undertakings of other contracting States which do not confine themselves exclusively to this traffic.

ARTICLE 11.

Subject to reciprocity, equality of treatment shall be granted as regards the right to import or export goods of any description or to transport passengers going to or coming from the country and the enjoyment of all facilities with regard to stationing, loading and unloading of vessels at ports, docks, quays and roads.

There shall also be an absolute equality, under the same conditions of reciprocity, as regards duties, charges and payments of all kinds levied on ships, such as sanitary duties, port, quay, harbour, pilotage, quarantine, lighthouse and other similar duties levied in the name of or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind.

Turkey also undertakes, on condition of reciprocity, not to subject imported or exported goods to any differential due, surtax, or increase of any nature or kind based on the flag of the ship by which the goods are imported or exported, on the ports of arrival or departure, on the voyage of the ship or the ports at which it has called, the dues and taxes leviable on goods imported or exported being determined only by their origin and country whence imported or their destination and being applied equally as regards all the contracting Powers in accordance with the provisions of Section I.

Article 12.

All classes of certificates or documents relating to ships and boats, their cargoes and passengers which were recognised as valid by Turkey before the war or which may hereafter be recognised as valid by the principal maritime States shall be recognised by Turkey as regards the vessels belonging to the other contracting Powers as valid and as equivalent to the corresponding certificates issued to Turkish ships and boats.

Article 13.

The provisions of the present section shall be applied by the high contracting parties for a period of ten years from the coming into force of the present convention.

Section III.

Article 14.

Turkey undertakes to adopt all the necessary legislative and administrative measures and to allow access to the courts for the protection of goods, the produce or manufacture of any one of the other contracting Powers, from all forms of unfair competition in commercial transactions.

Turkey undertakes to prohibit and repress by appropriate remedies the importation, exportation, manufacture, distribution, sale or offering for sale in her territory of all goods bearing upon themselves or their get-up or wrappings, any marks, names, devices or descriptions whatsoever which are calculated to convey, directly or indirectly, false indications of the origin, character, nature or special characteristics of such goods.

Article 15.

Turkey undertakes, on condition that reciprocity is accorded in these matters, to respect any law or any administrative or judicial decision given in conformity with such law in force in any other contracting State and duly communicated to her by the proper authorities, defining or regulating the right to any regional appellation in respect of products which derive their special qualities from the soil or the climate, or the conditions under which the use of a regional appellation may be permitted; and the importation, exportation, manufacture, distribution, sale or offering for sale of products or articles bearing regional appellations inconsistent with such laws or orders shall be prohibited by Turkey and repressed by the measures prescribed by article 14.

Article 16.

Turkey undertakes within a period of twelve months from the coming into force of the present convention:—

(1.) To adhere in the prescribed form to the International Convention of Paris of the 20th March, 1883, for the protection of industrial property, revised at Washington on the 2nd June, 1911, and the International Convention of Berne of the 9th September, 1886, for the protection of literary and artistic works, revised at Berlin on the 13th November, 1908, and the additional protocol of Berne of the 20th March, 1914, relating to the protection of literary and artistic works.

(2.) Within the same period to recognise and protect by effective legislation in accordance with the principles of the said conventions, the industrial, literary and artistic property of the nationals of the other contracting Powers.

Article 17.

Special conventions between the countries interested shall determine all questions relative to the records, registers and plans in connection with the administration relating to industrial, literary and artistic property and their eventual transmission or communication by the Turkish offices to the offices of the States in favour of which territory is detached from Turkey.

Article 18.

The contracting Powers reserve the right of declaring at the time of the coming into force of the present convention that its provisions do not apply to the whole or part of their dominions enjoying responsible government, of their colonies, protectorates, possessions, or territories beyond the sea subject to their sovereignty or authority, and in this case Turkey will be released from her obligations under the present convention to the said dominions, colonies, protectorates, possessions and territories.

Nevertheless, the said Powers may adhere subsequently in the name of any dominion enjoying responsible government, colony, protectorate, possession or territory for which in accordance with the terms of the present convention they may have made a declaration of exclusion, and they can also denounce separately the above provisions in the name of any dominion enjoying responsible government, colony, protectorate, possession or territory subject to their sovereignty or authority after having given six months' notice to this effect.

Article 19.

Non-signatory Powers shall have the right to adhere to this convention.

This adhesion shall be notified through the diplomatic channel to the Government of the French Republic and by that Government to all the States which are signatories or have adhered. It shall take effect from the date of the notification to the French Government.

Article 20.

The present convention shall be ratified.

The ratifications shall be deposited at Paris as soon as possible.

It shall enter into force in the same way as the Treaty of Peace of even date.

In faith whereof the above-named plenipotentiaries have signed the present convention.

Done at Lausanne the , 19 , in a single copy which will remain deposited in the archives of the Government of the French Republic, which will transmit a certified copy to each of the signatory Powers.

....

....

(Signatures and seals).

Annex (F) to No. 38.

Financial Sub-Commission.

Third Commission—First Sub-Commission.

Financial Clauses.

Text drafted by the British, French and Italian Delegations.

Section I.—*Provisions relating to the Ottoman Public Debt.*

January 25, 1923.

Article 1.

States of the Balkan Peninsula and the newly-created States in Asia, in favour of whom territory has been detached from Turkey, either after the Balkan wars of 1912–13 or under the present treaty, shall participate, under the conditions laid down below, in the annual charge for the service of the Ottoman Public Debt, as defined in the annexed table.

These States shall, within a period of three months from the date on which they are notified under article 7 of the share of the annual charges mentioned below which is allotted to them respectively, give to the Council of the Debt adequate guarantees for the payment of such share.

In the case of any failure to give such guarantees within the above period, and in the case of any disagreement as to the sufficiency of the guarantees and method of payment proposed, it shall be open to any of the Governments concerned and the Council of the Debt (which shall for this purpose be authorised to act on behalf of the holders of the Ottoman Public Debt, as defined in the annexed table) to appeal to the Council of the League of Nations.

The Council of the League of Nations shall be empowered to entrust the collection of the revenues assigned as a guarantee to any international financial organisations already existing in the countries concerned. The decisions of the Council of the League of Nations shall be final.

From the dates laid down by article 8, Turkey shall no longer be held responsible for the shares assigned to other States.

ARTICLE 2.

In conformity with the last paragraph of article 1, the nominal capital of the Ottoman Public Debt as defined in that article may, with the consent of the bondholders, be divided between the States concerned, if one of these States so requests within a period of three months from the date of the coming into force of the treaty. This division shall be made on the same basis as that laid down for the division of the annuities and with due regard to the terms of the contracts relating to the loans or advances and to the provisions of this section.

A commission shall, if necessary, meet at Paris in order to decide the method in which this division shall be carried out. The commission shall consist of representatives of the Turkish Government, representatives of each of the above-mentioned States, the members of the Council of the Ottoman Public Debt and representatives of the Ottoman Public Debt other than the Unified Debt and the "Lots turcs."

The payment of the annuities shall not be suspended in consequence of the above provisions.

ARTICLE 3.

Turkey shall, within the period laid down by article 1, arrange with the Council of the Debt to supplement, if necessary, the present assigned revenues in such a manner as to ensure the payment in full of the share of the annuity for which she remains responsible.

ARTICLE 4.

The distribution of the annual charge referred to in article 1 shall be effected in the following manner:—

1. Annuities arising from loans prior to the 17th October, 1912, shall be distributed between Turkey and the Balkan States in favour of whom territory was detached from Turkey after the Balkan wars of 1912–13, on the basis of the territorial changes which have occurred since the coming into force of subsequent treaties.
2. The residue of the annuities for which Turkey remains liable after the first distribution, together with the annuities arising from loans contracted by Turkey between the 17th October, 1912, and the 1st November, 1914, shall be distributed between Turkey and the Balkan States and the newly-created States in Asia in whose favour territory is detached from Turkey under the present treaty.

ARTICLE 5.

The amount of the annuity to be paid by each of the Governments concerned shall bear the same proportion to the sum required for the total service of the Ottoman Public Debt as the average revenue from the transferred territory bore to the average revenue from the whole of Turkey over the years 1910–11 and 1911–12 The yield of the customs surtax imposed in 1907 shall be included in each case.

ARTICLE 6.

A dispute having arisen on the subject of the division between Turkey and the States of the Balkan Peninsula and the newly-created States in Asia, in favour of which territory has been detached from Turkey, of the payments for which the Ottoman Empire is or was liable on account of kilometric guarantees, it has been decided to submit this litigation to the Permanent Court of International Justice at The Hague (*see* Annex II).

The High Contracting Parties undertake to accept the decision of this Court. Until this decision is given, the payment of the annuities will be made provisionally in accordance with the table annexed to this section.

ARTICLE 7.

The Council of the Ottoman Public Debt shall, not more than three months after the coming into force of the present treaty, determine on the basis laid down in the preceding article the amounts of the annuities payable by each of the Governments concerned, and shall notify those Governments of such amounts.

The States concerned shall be granted an opportunity to send to Constantinople delegates to check the calculations by which the Council of the Ottoman Public Debt will determine the amount of the annuities for which these States are to be liable.

The Council of the Debt shall fulfil the functions provided for in article 134 of the Treaty of Peace with Bulgaria of the 27th November, 1919.

Any disputes arising in respect of the provisions of this article between the parties concerned shall be referred within three months after notification to the Council of the League of Nations and shall be decided by an arbitrator appointed by the Council. Such reference shall not delay the execution of this article.

ARTICLE 8.

The annuities above provided will, in the case of territories detached from Turkey after the Balkan wars of 1912–13, be payable as from the date of the coming into force of the treaties by which the respective territories were detached from Turkey, and, in the case of territories detached under the present treaty, from the 1st March, 1920.

The annuities shall continue to be payable (except as provided by article 11) until the date on which the final liquidation of the debt is due to take place. They shall, however, be proportionately reduced as the loans constituting the debt are due to be extinguished on the dates on which the loans are due to be repaid in accordance with the contracts referred to in column 2 of the annexed table. For this purpose, however, the Treasury bonds of 1911, 1912 and 1913, referred to in this table, shall be deemed to be repayable, with interest, ten years later than the dates set forth in column 8.

ARTICLE 9.

The Turkish Government shall concert with the Council of the Debt in regard to the steps to be taken to make up any deficiencies in the amount required for the arrears of the coupons of the Ottoman Public Debt, due regard being had to the arrangements which are to be made between the Council of the Debt and the Governments referred to in article 1 for the discharge of the annuities which had not been paid at the date of the coming into force of the present treaty. The amounts due in respect of such annuities shall be paid without interest within twenty years from the coming into force of the present treaty.

ARTICLE 10.

The Turkish Government recognises as a liability due by it to the Council of the Debt a sum equal to the arrears of any revenues hereto affected to the service of the Ottoman Public Debt within the territories remaining Turkish, which should have been but have not been paid to the Council of the Debt, except where such territories have been in the military occupation of Allied forces, and for the time of such occupation. The Turkish Government shall concert with the Council of the Debt in regard to the method of payment of this sum.

ARTICLE 11.

Any of the Governments which under the present treaty are to contribute to the annual charge for the service of the Ottoman Public Debt may, upon giving six months' notice to the Council of the Debt, redeem, either in whole or in part, such obligation by payment of a sum representing the value of such contribution, or a part thereof, capitalised at such rate of interest and on such terms as may be agreed between the Government concerned and the Council of the Debt.

The Council of the Debt shall not have the power to require such redemption.

ARTICLE 12.

The decree of Mouharrem and the decrees of the 14th September, 1903, and the 24th May/4th June, 1911, annexed thereto, as well as the decrees relating to the loan contracts prior to the 1st November, 1914, are confirmed.

The Turkish Government agrees to carry out, so far as it is concerned, the provisions of article 258 of the Treaty of Peace with Germany and of the corresponding articles in the Treaties of Peace with Austria and with Hungary, in accordance with which those countries have renounced all right to be represented on or take part in all organisations and commissions of financial or economic control or administration in Turkey.

Sub-Annex I to Section I of Annex (F).

The Ottoman Pre-War Public Debt prior to November 1, 1914.

Loan. 1	Date of Contract. 2.	Interest. 3.	Sinking Fund. £T. Gold. 4.	Original Nominal Capital. £T. Gold. 5.	Capital Outstanding on Nov. 5, 1914. £T Gold. 6.	Annuity (including Commission) £T. Gold. 7.	Date of Amortisation. 8.	Bank of Issue. 9.
		Per cent.	Per cent.					
Unified Debt	14/9/1903-8-21/6/1906 ...	4	0·464	42,275,772	36,779,840	1,887,375	...	... ...
Lots turcs	5/1/1870	...	...	15,632,548	10,666,975	270,000	...	... ...
Osmanié	18-30/4/1890	4	1·00	4,999,500	2,952,400	249,975	1931	Imperial Ottoman Bank.
Tombac priority	26/4-8/5/1893	4	1·00	1,000,000	664,510	50,250	1954	Imperial Ottoman Bank.
40,000,000 fr. (Oriental Railways) ...	1/3/1894	4	0·35	1,760,000	1,567,192	76,751	1957	Deutsche Bank and its group, including International Bank and two French banks.
5 per cent., 1896	29/2-12/3/1896	5	0·50	3,272,720	2,814,020	130,450	1946	Imperial Ottoman Bank.
Customs, 1902	17-29/5/1886-28/9-11/10/1902	4	0·50	8,600,020	7,923,234	387,976	1958	Imperial Ottoman Bank.
4 per cent., 1903 (Fisheries)	3/10/1888-21/2/-6/3/1903 ...	4	0·50	2,640,000	2,439,228	119,097	1958	Deutsche Bank.
Bagdad, Series I	29/2-5/3/1903	4	0·087538	2,376,000	2,342,252	97,120	2001	Deutsche Bank.
4 per cent., 1904	4-17/9/1903	4	0·50	2,750,000	2,594,064	124,059	1960	Imperial Ottoman Bank.
4 per cent., 1901-1905	21/11 - 4/12/1901 - 6/11/1903-25/4-8/5/1905	4	0·50	5,306,664	4,976,422	239,397	1961	Imperial Ottoman Bank.
Tedjhizat, Askérié	4-17/4/1905	4	0·50	2,640,000	2,441,340	119,097	1961	Deutsche Bank.
Bagdad, Series II	20/5-2/6/1908	4	0·087538	4,752,000	4,718,120	200,500	2006	Deutsche Bank.
Bagdad, Series III	20/5-2/6/1908	4	0·087538	5,236,000	5,221,700	220,550	2010	Deutsche Bank.
4 per cent., 1908	6-19/9/1908	4	0·50	4,711,124	4,538,908	212,000	1965	Imperial Ottoman Bank.
4 per cent., 1909	30/9-13/10/1909	4	1·00	7,000,004	6,550,698	350,864	1950	Imperial Ottoman Bank.
Soma-Panderma	20/11-3/12/1910	4	0·16715	1,712,304	1,700,644	71,532	1992	Imperial Ottoman Bank.
Hodeïda-Sanaa	24/2-9/3/1911	4	0·098738	1,000,010	1,000,010	40,988	2006	Banque française.
Customs, 1911	27/10-9/11/1910	4	1·00	7,040,000	6,699,880	352,440	1952	Deutsche Bank and its group.
Plain of Koniah irrigation	5-18/11/1913	...	...	818,970	818,970	50,006	1932	... ...
Docks, Arsenals and Naval Constructions	19/11-2/12/1913	5½	1·50	1,485,000	1,485,000	88,550	1943	... ...
per cent , 1914	13-26/4/1914	5	0·50	22,000,000	22,000,000	1,213,055	(1962)	Imperial Ottoman Bank.
Avances Régie des Tabacs	4/8/1913	...	...	1,700,000	890,039	110,000	...	... ...
Treasury Bonds, 5 per cent., 1911 (Purchase of Warships)	13/7/1911	5	variable (average 20·00)	1,779,569	931,040	186,208	1916*	National Bank of Turkey.
Treasury Bonds, Imperial Ottoman Bank, 1912	8-21/11/1912	6	33·333	3,000,008	1,063,664	1,000,003	1915*	Imperial Ottoman Bank.
Treasury Bonds, Périer & Co., 1913 ...	19/1-1/2/1913	5	20·00	4,400,000	3,300,000	1,100,000	1918*	Périer & Co.
Total	... ...	...	...	159,888,213	139,100,150	8,998,213	...	

* *See* Article 8.

Note Explanatory of Sub-Annex I.

The figures in columns 5, 6 and 7 are £ T. gold.

Turkey now possesses a paper currency in place of a pre-war gold currency. At present rates of exchange the £ T. paper no longer represents the pre-war ratio of the £ T. gold to the currency in which the loans were subscribed, and in which the interest and the amortisation payments have to be paid in Europe according to the contract terms of the loans. (See Article 1 of the "Decree Annex" of September 1903, and the Loan Contracts, *passim.*)

The fact that the figures are given in £ T. gold in these columns does not signify that the provisions for the coupons and sinking funds are to be made in gold, but that the figure in £ T. has to be calculated according to such rate of exchange as will enable the bondholder to be paid in the currency to which he is entitled, and that the calculations have been made on the assumption that one or more of the currencies in which the bondholder can claim payment stands at gold par.

Sub-Annex II to Section I of Annex (F).

Draft Questions to be submitted to the Permanent Court of International Justice at The Hague.

By article 1 of Section I of the financial clauses of the treaty, it is provided that the States of the Balkan Peninsula and the newly created States in Asia, in favour of which territory has been detached from Turkey either after the wars of 1912–13 or under the present treaty, shall share under the conditions laid down in these clauses in the annual payments required for the service of the Ottoman Public Debt as defined in the table annexed to these clauses.

Accordingly it has been decided to put to the Permanent Court of International Justice at The Hague the following questions:—

First Question:

Should there be included in the table of the Ottoman Public Debt to be distributed between Turkey and the States of the Balkan Peninsula and the newly created States in Asia in favour of which territory has been detached from Turkey the payments for which the Turkish Empire is or was liable on account of the kilometric guarantees to which certain railways are entitled?

Second Question:

If the payments in connection with the railways entitled to kilometric guarantees are not included in the debt to be distributed, should there be removed from the table of the debt to be included the payments in connection with the Bagdad, Soma–Panderma and Hodeida–Sanaa Railways?

SECTION II.—*Reparation.*

ARTICLE 1.

The claims of nationals of the Allied Governments (other than Greece) against the Turkish Government for loss and damage suffered by them between the 1st August, 1914, and the coming into force of the present treaty and similar claims of Turkish subjects against the Allied Governments (other than Greece) shall be deemed to be finally settled by the payment of a balance of 15 million pounds Turkish gold which shall be made by the Turkish Government to the aforesaid Governments. This payment shall be made in the manner laid down in the following provisions.

The said payment shall form a final settlement of all pecuniary claims on the one side or the other arising out of events which occurred between the 1st August, 1914, and the coming into force of the present treaty, including claims which, although primarily between Turkish and Allied nationals, ultimately involve a direct or indirect payment from Government to Government.

ARTICLE 2.

Greece and Turkey mutually renounce all claims to payment for damage caused to their nationals between the dates referred to in article 1.

ARTICLE 3.

In discharge of the obligations incumbent upon it in accordance with article 1, the Turkish Government shall pay to the Council of the Ottoman Public Debt 37 annuities of 900,000 pounds Turkish gold representing the interest at 5 per cent. and sinking fund at 1 per cent. upon the sum of 15,000,000 pounds Turkish gold. The first annuity shall be payable on the 1st March, 1924.

ARTICLE 4.

The Turkish Government shall irrevocably assign to the Council of the Ottoman Public Debt sufficient revenues to ensure the payment of the annuities for which it is liable. These revenues shall be administered by the Council of the Debt. The revenues assigned as guarantee must be accepted by the Council of the Debt and must have produced during each of the two years preceding their assignment an amount greater by at least 15 per cent. than the annuities to be guaranteed.

The Turkish Government undertakes in the event of the revenues referred to in the preceding paragraph proving insufficient to meet the deficit by assigning new revenues.

The assigned revenues shall include the proceeds of existing or future concessions.

The Turkish Government will submit to the Council of the Debt for their advice, before promulgation, all new concession contracts or prolongations of existing concessions, whether in favour of Turkish subjects or any other persons.

In order that the Council may fulfil its task with full knowledge of the circumstances, the Turkish Government will give all facilities which may be desired to any such persons as the Council may nominate to represent it before the competent Government Departments.

ARTICLE 5.

The Council of the Debt shall concert with the Turkish Government for the issue of bearer bonds of the nominal value of 15 million gold Turkish pounds bearing the signature of the Turkish Government, the service of which shall be met by the annuities referred to above. These bonds shall be entitled "Liquidation Bonds," and shall be in the form and denominations laid down by the Council of the Debt.

The Liquidation Bonds shall be free of all taxes and charges established or to be established in Turkey.

ARTICLE 6.

The Liquidation Bonds shall be delivered by the Council of the Debt to the Allied Governments or to such authority as may be nominated by them, in order that the bonds may be distributed to those entitled thereto.

ARTICLE 7.

The Council of the Debt shall undertake the service of the interest and sinking fund of the Liquidation Bonds. The bonds to be amortised shall be drawn by lot in accordance with a table drawn up by the Council of the Debt.

The expenses in connection with the issue and service of the Liquidation Bonds shall be borne by the Turkish Government and met from the proceeds of the revenues assigned to the bonds. They shall form a first charge upon such revenues.

ARTICLE 8.

The Turkish Government shall be entitled at any time to repay at par the whole or a part of the bonds outstanding.

The Turkish Government shall also be entitled to purchase bonds from the holders upon conditions to be agreed upon between such holders and the Turkish Government.

The bonds so purchased shall be presented to the Council of the Debt for cancellation and the annuities payable by the Turkish Government shall be proportionately reduced.

SECTION III.—*Miscellaneous Clauses.*

ARTICLE 1.

States in whose favour territory is detached from Turkey shall acquire without payment all property and possessions situated therein belonging to or registered in the name of the Turkish Empire or of the Civil List.

ARTICLE 2.

The recipients of Turkish civil and military pensions who acquire under the present treaty the nationality of a State other than Turkey shall have no claim against the Turkish Government in respect of their pensions.

ARTICLE 3.

Turkey recognises the transfer to the Allied Powers of any claims to payment or repayment which Germany, Austria, Bulgaria or Hungary may have against her, in accordance with article 261 of the Treaty of Peace, concluded at Versailles on the 28th June, 1919, with Germany, and the corresponding articles of the Treaties of Peace with Austria, with Bulgaria and with Hungary. The Allied Powers agree not to require from Turkey any payment in respect of claims so transferred.

The claims which Turkey has against Germany, Austria, Bulgaria and Hungary are also transferred to the Allied Powers.

ARTICLE 4.

The Turkish Government, in agreement with the Allied Powers, releases the German Government from the obligation incurred by it during the war to accept Turkish Government currency notes at a specified rate of exchange in payment of goods to be imported into Turkey from Germany after the war.

ARTICLE 5.

The sums of gold transferred by Germany and Austria in accordance with article 259 (1) of the treaty with Germany and article 210 (1) of the treaty with Austria shall be delivered to Turkey, subject only to their being employed as an additional guarantee for the payment of the five first annuities due in accordance with article 3 (Section II) of the present Part and to the following conditions.

If these annuities are paid at their due date, and immediately after the due date, an amount of gold equivalent to the amount paid by the Turkish Government shall be placed at the disposal of that Government. After the payment of the fifth annuity the Turkish Government shall receive the balance of the sums of gold referred to in the preceding paragraph.

If for any reason the annuities due by Turkey to the Allied Powers are not paid on their due date or are only paid to a partial extent the aforesaid sums of gold shall be forthwith utilised in order to make up the total of the annuities.

The Council of the Administration of the Ottoman Public Debt is hereby absolved from all obligations to make any payments incumbent on it under the convention of the 20th June, 1331 (the 3rd July, 1915), on the subject of the Turkish paper money of the first issue or under the words inscribed on the back of the bonds, the Turkish Government remaining responsible to the holders of the said bonds.

General Provisions.

(Text drafted by the British, French and Italian Delegates on the Financial Sub-Commission.)

January 25, 1923.

The Turkish Government confirms the validity and will ensure the execution of all contracts and settlements concluded before the

1st November, 1922, between the Government of the former Ottoman Empire on the one hand and the Council of the Administration of the Ottoman Public Debt, nationals of the Allied Powers, and the Turkish Companies in which such nationals hold a preponderating interest, on the other hand; in particular this provision shall apply to contracts and settlements in connection with the advances made to the Government of the former Turkish Empire, with the distribution of receipts by this Government and with the service of the Ottoman Public Debt.

The Turkish Government recognises the validity of all measures taken during the period of Allied military occupation, whether by the Allied High Commissioners, or by the Allied naval and military authorities, or by any persons or commissions acting in their name, concerning public administration, Allied or Ottoman property, rights or interests, or any expenditure or disbursements effected by their orders.

ANNEX (G) TO NO. 38.

Memorandum respecting Greek Devastations in Asia Minor, presented by the Turkish Delegation.

M. le Président, *Lausanne, January* 20, 1923.

I HAVE the honour to transmit to you herewith a memorandum relating to the Greek devastations in Asia Minor, together with four annexed tables of statistics.

These statistics show the perfect justice and great moderation of our claim, amounting to £T. 1,341,639,505, for the damages which Greece has caused us.

I am therefore justified in demanding the integral payment of the sums claimed in respect of the above-mentioned devastations.

I beg you to accept, M. le Président, the assurance of my highest consideration.

ISMET.

His Excellency M. Barrère,
President of the French Delegation, and of the
Third Commission of the Conference, Lausanne.

Memorandum.

Lausanne, January 1923.

THE regions of Asia Minor occupied and devastated by the Greeks include the central Sanjak of Smyrna, the Sanjaks of Saruhan, of Aidin, of Denizli, the central Sanjak of Brusa, the Sanjaks of Ertogrul, of Ismid, of Eskishehr, of Karasu, of Afium-Karahissar, of Kutaya, of the Dardanelles, as well as the Kaza of Haimana depending on the Vilayet of Angora, and some parts of the Sanjak of Mughla.

The area of this vast territory is about 135,000 square kilom., that is to say more than three times the area of Switzerland and about a quarter of the area of France.

In 1914, the population of that area amounted to 3,207,000 Moslems, 532,600 Greeks, 179,900 Armenians and 51,000 Jews, that is to say a total of 3,970,100 persons out of the 15,000,000 inhabitants in the whole of Anatolia.

At present the population of the devastated provinces does not reach the figure of 2,000,000, the Greeks and Armenians having left with the Greek armies, and about 1,500,000 Moslems having disappeared as the result of massacres and compulsory emigration. The Jewish population of that region is approximately stationary.

From the economic point of view the devastated districts were, before the devastations which have ruined them, the richest of Anatolia and possessed the greatest portion, 54 per cent., of the railways of that country (1,812 kilom. out of the total of 3,350 kilom. including the portion of the Bagdad Railway as far as Nisibin).

We furnish below the values attained in 1912 by some of the principal taxes in the devastated regions and in the rest of Anatolia in order clearly to show the economic importance of the above-mentioned districts.

	For the devastated regions. £T.	For the rest of Anatolia. £T.
Tax on real estate	662,000	768,000
Agnam (tax on camels and smaller animals)	326,500	840,000
Trade tax	71,800	92,500
Total taxes collected directly by the Treasury (customs revenues and conceded revenues not included)	3,757,000	5,916,000

Thus the devastated districts which in area only form 16·5 per cent. of Anatolia, included 26 per cent. of the total population thereof and 54 per cent. of the railways, and paid, out of the whole of Anatolia, 47 per cent. of the tax on real estate, 28 per cent. of the tax on cattle, 44 per cent. of the trade tax, 30 per cent. of the taxes levied directly by the Treasury.

As will be seen, the Greek devastations, whilst absolutely ruining the richest and most prosperous districts and depopulating the most densely inhabited districts of Anatolia, have caused very grave damage to Turkey; at the present time these devastated regions, whence the State derived the greatest portion of its revenues, have become a heavy burden on the Turkish Treasury, and those of their inhabitants who have survived the calamities of recent years are reduced to the most appalling misery.

All these considerations show that Turkey cannot in any event give up her claim to the reparation due to her for the devastations caused in Asia Minor.

Being conscious of their just claim, the Turkish delegation are convinced that the delegations of the Allied Powers will recognise the perfect legitimacy of the request which they have the honour to formulate and take the liberty to describe, as follows, particulars of the Greek devastations, which have been summed up in the four annexed tables of statistics.

Table No. I contains the names of the towns destroyed either totally or in great part, as well as the number and value of the buildings destroyed in each. It includes, apart from Smyrna, the names of twenty-six towns, nearly all of which were entirely destroyed.

Table No. II contains a list of real property destroyed in each of the occupied sanjaks and the total value of this destroyed property. This table includes the real property destroyed in the country as well as that destroyed in such towns as, having suffered comparatively unimportant damage, are not included in Table No. I.

Religious and educational buildings such as mosques, colleges, mausoleums, schools, as well as factories and workshops destroyed in each town and sanjak, have not been quoted under a special heading in Tables I and II in order that these should not be overburdened. Their number amounts in all to 3,593 mosques, colleges and schools, and to 710 workshops, factories, flour-mills, &c.

From the point of view of loss of works of art, the town of Brusa deserves special mention. It is in fact most difficult to estimate the total value of the works of art thus destroyed; damages of that nature do not therefore figure in Table I; that is why there must be added to the figures respecting the town of Brusa the sum of 20,426,000 fr. at least, that is to say, about £T. 3,000,000 which is the total value as estimated by the French engineer Raymond Ainé for damages inflicted on the works of art at Brusa in the first period of the Greek occupation only.

Table No. III gives losses, per sanjak, of movable property, merchandise, specie, jewels, agricultural implements, machinery, &c., and Table IV the number and the value of cattle killed or removed, to be for the most part transported to Greece either during the occupation or at the time of the final rout.

To give an idea of the extent of the harm caused by the Greeks to Anatolia, it will suffice for us to mention that in a vast district where agriculture and the breeding of cattle form the only resources of the population, this population now lacks beasts of burden. It is likewise impossible to-day to find a single hen in the devastated regions.

To the numbers figuring in these tables, the total value of the destruction carried out by the Greek fleet on the coasts of Anatolia must be added, and also the total damage caused to the Turkish mercantile marine, that is to say, a total of 258,007 plus 600,000, *i.e.*, £T. 858,007, as well as thefts and requisitions carried out at the expense of the Ottoman Red Crescent, which amount to £T. 26,465. To sum up, the reparations which we claim from Greece amount to:—

£T.		
481,176,332	... ...	Total of Table I.
177,310,945	... ...	Total of Table II.
567,235,341	... ...	Total of Table III.
112,032,425	... ...	Total of Table IV.
3,000,000	... ...	For destruction wrought in the mosques and mausoleums of Brusa.
858,007	... ...	For damages caused to the coasts and to the Turkish merchant fleet by the Greek fleet.
26,465	... ...	For damages caused to the Red Crescent.
1,341,639,505		

TABLE I TO ANNEX (G).

Giving the name of the towns destroyed as well as the number and value of destroyed buildings of all kinds, such as houses, shops and stores, hotels, warehouses, religious and scholastic edifices, factories, workshops, mills, &c.

Names of the Towns Destroyed.	Buildings Destroyed.	Buildings existing before the War.	Value of Losses.
Magnesia	13,638	14,773	73,042,009
Ala Shehr	4,350	4,500	16,311,000
Salihli	2,000	2,200	9,050,908
Kassaba	6,126	6,326	24,068,530
Gerdes	431	Completely destroyed ...	868,000
Aidin	6,243	,, ,, ...	34,437,600
Nazilli	2,121	,, ,, ...	9,647,800
Senhe	1,731	In great part destroyed	7,434,900
Mihalitch	1,965	Completely destroyed ...	6,591,000
Bazar Keui	408	,, ,, ...	820,000
Bilejik	2,245	,, ,, ...	1,136,000
Seuyud	948	,, ,, ...	2,940,000
Yeni-Shehr	1,187	Half destroyed ...	5,136,000
Boz-Euyuk	748	Completely destroyed ...	1,126,000
Bazarjik	644	,, ,, ...	1,995,000
Nicaea	615	648	1,467,400
Kara-Mursel	830	847	9,106,500*
Yalova	232	286	772,960
Eski-Shehr	1,867	Partially destroyed ...	28,860,061*
Mihalijik	905	Completely destroyed ...	3,364,750
Ushak	1,977	In great part destroyed	15,496,810
Kedos	694	Completely destroyed ...	1,815,700
Chivril	405	,, ,, ...	1,539,800
Takmak	307	,, ,, ...	897,000
Panderma	1,305	In very great part destroyed	49,122,000*
Afiun-Kara-Hissar ...	394	Partially destoyed ...	2,123,495
Total	54,205	Total	305,271,214
Smyrna†	18,865	... ...	175,905,108
General total ...	73,070	General total ...	481,176,322

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* The value of the buildings destroyed at Kara-Mursel, Eski-Shehr and Panderma is comparatively high because these towns contain buildings of great value as well as factories and mills. In Eski-Shehr the richest quarters of the town were destroyed.

† Unlike the twenty-six other towns, Smyrna was burnt after the entry of the Turkish troops. This was due to the fact that the town was taken by us, so to speak, unexpectedly, since the Greeks thought that they still had before them sufficient time to carry out the destruction which they had planned. Nevertheless, the organisation prepared with this object entered into action the day after the Turkish occupation and succeeded in destroying the richest part of the town.

TABLE II TO ANNEX (G).

Showing the number and value of buildings, both urban and rural, such as religious and scholastic edifices, factories, farms, dwelling-houses, &c., destroyed in each sanjak, with the exception of the buildings appearing in Table I.

Sanjak.	Buildings Destroyed.	Value of Losses in £ T.
Smyrna	13,599	53,562,203
Saruhan	9,084	8,752,261
Aidin	3,326	7,995,633
Denizli	634	786,717
Brusa	13,668	16,837,000
Ertoghrul	3,235	7,774,000
Ismid	17,728	27,476,597
Eski-Shehr	21,711	30,642,110
Karassi	6,385	21,480,495
Afiun-Kara-Hissar ...	278	354,980
Kutahia	894	1,362,744
Kaza de Haymana ...	1,127	286,305
Total	86,669	177,310,945

TABLE III TO ANNEX (G).

Showing for each sanjak the value of the movable property, merchandise, agricultural implements, machines, cereals, &c., removed or destroyed, whether in the towns or in the country districts.

Sanjak.	Value of Losses in £ T.
Smyrna	64,831,731
Saruhan	112,084,244
Aidin	110,784,822
Denizli	1,220,517
Brusa...	36,857,600
Ertoghrul	21,114,032
Ismid	98,234,805
Eski-Shehr	22,699,038
Karassi	90,369,736
Afiun-Kara-Hissar	1,032,758
Kutahia	5,546,425
Dardanelles	122,321
Haymana	2,338,312
Total	567,235,341

TABLE IV TO ANNEX (G).

Showing the Quantities and Value of Means of Transport Destroyed or Carried Off and of the Animals Removed or Killed.

Sanjaks.	Motor - cars and Lorries.	Horses.	Donkeys and Mules.	Cows.	Oxen and Buffaloes.*	Camels.	Goats.	Sheep.	Carts and Carriages.	Value of the Animals and Means of Transport.
										Francs.
Smyrna	259	40,744	13,962	24,105	32,971	5,464	192,739	156,031	3,669	20,441,206
Saruhan	...	24,502	13,710	12,997	20,254	1,988	44,034	86,187	4,758	11,073,703
Aidin	...	7,126	4,830	7,543	11,115	30	25,471	29,581	1,512	4,278,755
Denizli	...	1,832	3,314	3,061	1,759	38	34,321	28,249	119	1,764,535
Brusa	...	3,730	630	38,820	29,058	...	1,251	39,916	923	6,921,267
Ertoghrul	...	504	258	36,364	27,181	...	403	29,649	822	6,711,891
Ismid	...	5,702	2,790	28,437	34,113	...	12,100	161,109	...	9,969,582
Eski-Shehr	...	28,202	15,796	82,347	34,374	748	297,614	1,120,009	11,117	37,498,755
Karassi	...	4,862	1,122	4,281	6,973	164	6,066	40,203	888	2,280,351
Afiun-Kara-Hissar ...	...	528	954	1,860	2,859	...	4,164	28,260	470	1,076,710
Kutahia	...	13,222	2,850	17,500	18,618	...	99,922	33,752	...	7,236,710
Kaza de H mana ...	...	3,086	3,710	7,665	8,955	72	103,254	17,370	...	2,779,100
Total	259	134,040	63,926	264,980	228,230	8,504	821,339	1,770,316	24,278	112,032,425

* No draught animals remain in the devastated regions.

ANNEX (H) TO No. 38.

Comments of the Greek Delegation on the Memorandum of the Turkish Delegation respecting Greek Devastations in Asia Minor.

M. le Président, *Lausanne, January* 25, 1923.

I HAVE the honour to transmit to you herewith a memorandum containing the observations of the Greek delegation on the memorandum of the Turkish delegation, dated the 20th January, respecting the indemnities claimed by Turkey from Greece in respect of war damages.

I beg you to accept, M. le Président, the assurance of my highest consideration.

E. K. VENISELOS.

His Excellency M. Bompard,
French Ambassador,
President of the Third Commission at the
Conference of Lausanne.

Enclosure.

Observations on the Memorandum of the Turkish Delegation dated January 20, 1923, *relating to War Damages.*

ON the 20th January the Turkish delegation addressed a letter to the President of the Third Commission of the Conference, together with a memorandum, in which they explained the various reasons for which Turkey believes that she has the right to demand indemnities, and fixes at £T. 1,341,639,505 the total of her claims.

The Greek delegation do not think it necessary once more to explain the peaceable and conciliatory motives which have led them to accept the complete setting off against each other and cancellation of the reparations claimed by Greece and Turkey, although Greece's own claims were considerably higher than those which Turkey has any right to demand.

The Greek point of view has been sufficiently explained before the Sub-Commission on Financial Questions, and is moreover summed up in the memorandum which the Greek delegation addressed to the conference on the 20th December last.

Nevertheless, the Greek delegation find it necessary to lay stress on certain points in the Turkish memorandum; to disprove those points will be sufficient to shatter the whole crazy fabric of the Turkish claims.

In Table No. I annexed to that memorandum there figures a sum of £T. 175,905,108. That sum represents the reparation claimed by Turkey for the 18,865 buildings destroyed by fire in the town of Smyrna. It is hardly necessary to emphasise the extravagance of such a claim. Even if every other proof on this subject failed, it would nevertheless seem strange, to say the least of it, that the Turkish delegation should try to place on Greece the responsibility for a fire which broke out on the fourth day after the occupation of the town by the Turkish regular army and destroyed with significant precision the Greek and Armenian quarters. But if the question of responsibility is set aside, and only the actual facts are taken into account, it is still impossible to find any justification whatsoever for that claim. In fact, everything movable or immovable of any value which existed in the burnt area of the town belonged to Greeks or Armenians (without mentioning the property belonging to foreign nationals). Now all these victims, whether Greeks or Armenians, if they did not perish in the fire itself or in the disturbances which took place at the same time, have taken refuge in Greece or elsewhere outside Turkish territory, where they have been received and helped by the Greek Government and by the charitable institutions of all Christian countries. They were almost all subjects of the Ottoman Empire, to whom Turkey, through the intermediary of her representatives at the conference, absolutely refuses access to her territory, in spite of the repeated requests made by the Greek delegation and strong recommendations on the part of the other delegations. By what rule of equity or right can Turkey claim compensation for damages, caused on her own territory by a fire the origin of which is not open to question, and entirely suffered by populations with which Turkey has never ceased to proclaim that she has now severed all connection? Moreover, this claim is apparently made against the one State which has undertaken the heavy burden of relieving the misfortune of those populations.

The Turkish memorandum appears also to father the responsibility for the depopulation of Turkish territory in Anatolia on Greece. Such an accusation, coming from Turkey, is indeed a surprising one. Since 1914, Turkey has never ceased within her territory to take all those notorious measures the effect and deliberate object of which has been to diminish her own population by 2,000,000 Greeks and Armenians. But in any case it should be noted that the figures given in this connection in the Turkish memorandum do not tally with the facts. Before the last war the actual population of the areas in question amounted to 3,640,000, of whom 1,175,000 were Greeks and Armenians. These two elements in the population having completely or almost completely, disappeared from these provinces, there remain the 2,465,000 Moslems who inhabited these territories before 1914, a figure slightly in excess of that given in the Turkish memorandum for the present total population of the area. But it seems extremely doubtful whether the Turkish Government can have been in a position, in present circumstances, to collect exact data regarding the population of Anatolia, seeing the difficulties which it used to experience in the collection of such data even in normal times. Even if it be granted, however, that this estimate approaches the truth, not more than 400,000 of the inhabitants of the area would be missing. In these circumstances one is inclined to wonder where the 1,500,000 Moslems can have come from, who are alleged by the Turkish delegation to have been massacred by the Hellenic army. After this it seems somewhat superfluous to insist on the essentially arbitrary character of the allegations contained in the Turkish memorandum.

On the other hand, that document contains an allusion to forced emigrations of Moslem inhabitants. The Greek delegation wish to declare formally that at no time during the Greek occupation of Asia Minor was any such measure promulgated or actually applied to the Moslem populations. If the latter were, in certain cases, obliged to move from one district to another, it can only have been under orders received from the Government and from the military authorities of Angora; for as the Greek delegation have already had the honour to state in their memorandum of the 20th December last, the Greek army, during its advance in Anatolia, constantly came across towns and villages which had been entirely deserted and cleared of all movable property. The Turkish army before its retreat systematically ordered the evacuation of the country by the civil population.

As regards the valuation of the damage done, which the Turkish delegation have undertaken without the slightest regard for accuracy, it may be pointed out that in Table I, for example, the average value of the buildings destroyed is given as £T. 7,000 for each building, that is to say, about 60,000 fr. Now to anyone who has the barest idea of the primitive condition of the greater part of the towns and villages mentioned in this table, consisting, with few exceptions, of buildings roughly constructed of mud bricks, and lacking every luxury or comfort, this average value of £T. 7,000 per building is glaring evidence of how far the calculations of the Turkish delegation are based on exaggeration. As regards industrial buildings, every one knows how insignificant a part they play in the economic life of this area, the essentially agricultural character of which is notorious.

The Turkish delegation attributes to the Greek army all the destruction which has taken place in Anatolia. Now, as the Greek delegation have already pointed out in their memorandum of the 20th December last, a large number of Moslem villages and localities were completely destroyed by the Kemalist army, either because they refused to obey recruiting orders from Angora, or because they received the Greek army in the course of its advance without offering any resistance.

Moreover, it is not difficult to show that the number of destroyed houses given by the Turkish delegation is altogether excessive. According to Tables I and II of the memorandum, the destroyed buildings number 160,739. Calculating, on the principle generally accepted in statistics, five persons for each house, there ought to be in Anatolia, to correspond with the 160,739 houses which have disappeared, 803,695 people without shelter. Now the representatives of the International Committee of the Red Cross and of the International Save the Children Fund, MM. Rodolphe Haccius and Henri Guenod, who were sent to the spot in order to bring relief to the destitute and homeless, estimated the total number of the people who had suffered at about 180,000 ("International Review of the Red Cross," No. 47, November 1922, p. 970). It may be noted, as evidence of the accuracy of this figure, that all the information on which these delegates based their calculations was obtained from the Turkish authorities, a fact which is stated in the report itself and further proved by the identity of the figures contained in the above-mentioned report with those given in the Turkish memorandum. It will doubtless be noted that the difference between the figure of 180,000 given by impartial witnesses and that of 803,695 reached by making the necessary calculations from the data furnished in the Turkish memorandum, is too wide to be easily justified.

Now it would be particularly edifying to see the results which one would obtain if, assuming that the estimates of the Turkish delegation were correct, one should try to extend them by the application of statistical processes. The total number of buildings given as "destroyed" in the Turkish tables amounts to 160,739, and, counting an average of five persons for each house, they must have sheltered 803,695 people. Further, the value of these buildings is estimated at £T. 658,487,267. That is to say, that the dwellings of 803,695 inhabitants in Anatolia represent a value of £T. 658,487,267; it follows that the dwellings of the 15,000,000 total inhabitants of Anatolia (the figure given in the Turkish memorandum) would represent, by themselves, a value of £T. 12,182,000,000, or about 40 milliards of gold francs. It is clear that if all other elements of wealth were valued on the same scale—movable property of all kinds, specie, securities, means of communication, hydraulic power, mines and above all agricultural land, which forms, as is well known, the chief riches of the country—in order to arrive according to ordinary processes at what is called the national wealth of the country, fantastic figures would be reached. Anatolia, inhabited by a population of 15,000,000, would thus possess a national wealth infinitely greater than that of France, which was estimated in 1914, including everything, at 300 milliards of gold francs, or than that of Italy which in 1912 amounted to 85 milliards of gold francs.*

The Greek delegation are firmly convinced that the above considerations will be sufficient to furnish irrefutable proof of the unjust and wholly imaginary character of the claims for compensation put forward by the Turkish delegation.

No. 39.

COMMISSION ON ECONOMIC AND FINANCIAL QUESTIONS.

Minutes of the Sixth Meeting, January 31, 1923, *at* 10·30 A.M., *under the presidency of M. Bompard.*

See Minutes of Twenty-fourth Meeting of First Commission (on Territorial and Military Questions), No. 27, p. 426.

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* Jèze, "Cours de la Science des Finances, 1922," pp. 68 and 69.

PART IV.

SECTION I.

DRAFT TERMS OF PEACE

PRESENTED TO THE

TURKISH DELEGATION AT LAUSANNE

ON JANUARY 31, 1923.

NOTE.—The instruments drawn up at Lausanne were to be signed in French only. An English translation is printed side by side with the French text, but the latter is the only official text.

No. 40.

PROJET D'ACTE FINAL.

Les gouvernements de l'Empire britannique, de la France et de l'Italie, d'accord avec le gouvernement du Japon, soucieux de rétablir définitivement la paix en Orient, ayant convié d'une part la Grèce, la Roumanie, l'Etat serbe-croate-slovene et aussi les Etats-Unis d'Amérique, et d'autre part la Turquie, à examiner en commun les dispositions propres à atteindre un résultat également souhaité par toutes les Nations ;

Ayant estimé, par ailleurs, que parmi les sujets qui se trouveront devoir être traités à cette Conférence la question des Détroits devra être examinée spécialement, en invitant la Bulgarie et la Russie, Puissances riveraines de la Mer Noire, à participer aux négociations et aux décisions qui seraient adoptées ;

Et ayant décidé d'admettre les tierces Puissances à faire connaître à la Conférence, soit oralement soit par écrit, mais sans participer aux débats, leurs vues sur les questions mettant directement en cause leurs intérêts, tout en reconnaissant que, parmi ces Puissances, celles qui ont combattu pendant la dernière guerre aux côtés de l'Empire britannique, de la France, de l'Italie, et du Japon, seraient admises à participer aux discussions des questions économiques et financières ;

En conséquence, les soussignés se sont assemblés à Lausanne et, à la suite de réunions tenues du 20 novembre 1922 au . . . . 1923, les actes ci-après énumérés ont été arrêtés :

I. Traité de paix et Déclaration annexe ;
II. Convention concernant le régime des Détroits ;

DRAFT FINAL ACT.

The Governments of the British Empire, France and Italy, in agreement with the Government of Japan, being desirous of finally re-establishing peace in the East, and having invited on the one hand Greece, Roumania, the Serb-Croat-Slovene State, and also the United States of America, and on the other hand Turkey, to examine together the arrangements by which a result equally desired by all nations might be achieved ;

And considering further that among the subjects falling to be dealt with by this Conference the question of the Straits ought to be specially examined, Bulgaria and Russia, as littoral Powers of the Black Sea, being invited to participate in the negotiations and the decisions to be taken ;

And having decided to admit third Powers to communicate to the Conference orally or in writing, but without taking part in the discussions, their views on subjects directly affecting their interests, while recognising that of these Powers those which fought during the recent war on the side of the British Empire, France, Italy and Japan should be allowed to take part in the discussion on economic and financial questions ;

In consequence the undersigned have met at Lausanne, and as the result of meetings held between the 20th November, 1922, and ...., 1923, the following instruments have been drawn up :—

I. Treaty of Peace, and Declaration annexed ;
II. Convention respecting the Régime of the Straits ;

III. Convention concernant les frontières de Thrace ;

IV. Convention relative au régime des Etrangers en Turquie, et Déclaration relative à l'administration de la justice en Turquie.

V. Déclaration relative à la participation de l'Albanie au paiement de la Dette publique ottomane ;

VI. Convention relative au régime du commerce avec la Turquie ;

VII. Déclaration relative à l'amnistie ;

VIII. Convention concernant l'échange des populations grecques et turques et Protocole annexe ;

IX. Accord gréco-turc sur la restitution et l'échange des prisonniers de guerre et des internés civils.

En foi de quoi les soussignés ont apposé leurs signatures et leurs cachets au bas du présent Acte.

Fait à Lausanne le . . . . mil neuf cent vingt trois en un seul exemplaire qui sera déposé dans les archives du gouvernement de la République française et dont les copies certifiées conformes seront délivrés à toutes les Puissances représentées à la Conférence.

....

....

(Signatures, sans indication de pays.)

III. Convention respecting the Frontiers of Thrace ;

IV. Convention respecting the Régime applicable to Foreigners in Turkey, and Declaration relating to the administration of justice in Turkey ;

V. Declaration respecting the participation of Albania in the payment of the Ottoman Public Debt ;

VI. Convention respecting the Commercial Régime with Turkey ;

VII. Declaration relating to an Amnesty ;

VIII. Convention respecting the Exchange of the Greek and Turkish populations, and Protocol annexed ;

IX. Greco-Turkish Agreement on the Restitution and Exchange of Prisoners of War and Interned Civilians.

In faith whereof the undersigned have signed and sealed the present Act.

Done at Lausanne the ...., 1923, in a single copy which will be deposited in the archives of the Government of the French Republic, and of which certified copies will be transmitted to all the Powers represented at the Conference.

....

....

(Signatures, without mentioning the names of the countries.)

No. 41.

Document No. I. of Final Act.

PROJET DE TRAITE DE PAIX.

L'Empire Britannique, la France, l'Italie, le Japon, la Grece, la Roumanie, l'Etat Serbe-Croate-Slovene,

d'une part,

et la Turquie

d'autre part;

Animés du même désir de mettre fin définitivement à l'état de guerre qui, depuis 1914, a troublé l'Orient,

Et soucieux de rétablir entre eux les relations d'amitié et de commerce nécessaires au bien-être commun de leurs nations respectives,*

Ont décidé de conclure un Traité à cet effet et ont désigné pour leurs Plénipotentiaires, savoir

....

....

Lesquels, après avoir exhibé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes.

PARTIE I.

CLAUSES POLITIQUES.

Article 1*er*.

A dater de la mise en vigueur du présent Traité, l'état de paix sera définitivement rétabli entre l'Empire britannique, la France, l'Italie, le Japon, la Grèce, la Roumanie, l'Etat Serbe-Croate-Slovene d'une part et la Turquie d'autre part ainsi qu'entre leurs ressortissants respectifs.

De part et d'autre il y aura relations officielles et, sur les territoires respectifs, les agents diplomatiques et consulaires recevront, à moins de stipulations particulières, le traitement consacré par les principes généraux du droit des gens.

DRAFT TREATY OF PEACE.

The British Empire, France, Italy, Japan, Greece, Roumania and the Serb-Croat-Slovene State

of the one part

and Turkey

of the other part;

Being united in the desire to terminate the state of war which has existed in the near East since 1914:

Being anxious to ensure as between themselves the friendly re-establishment of normal relations, economic and other, which are essential to the mutual well-being of their respective peoples:*

Have decided to conclude a Treaty for this purpose:

And have appointed as their Plenipotentiaries:—

....

....

Who, having produced their full powers, found in good and due form, have agreed as follows:—

PART I.

POLITICAL CLAUSES

Article 1.

From the coming into force of the present Treaty, a state of peace will be definitely re-established between the British Empire, France, Italy, Japan, Greece, Roumania and the Serb-Croat-Slovene State of the one part and Turkey of the other part, as well as between their respective nationals.

Official relations will be resumed on both sides and, in the respective territories, diplomatic and consular representatives will receive, subject to such special provisions as may be made, treatment in accordance with the established principles of international law.

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* Subsequently an additional paragraph was inserted here; *see* page 834, paragraph 9.

SECTION I.

1.—CLAUSES TERRITORIALES.

Article 2.

De la Mer Noire à la Mer Egée: la frontière de la Turquie est fixée comme il soit (Voir la Carte No. 1, annexée).

(1) *avec la Bulgarie.*

De l'embouchure de la Rezvaya jusqu'à la rive gauche de la Maritza, point de jonction des trois frontières de la Turquie, de la Bulgarie et de la Grèce:

la frontière Sud de la Bulgarie, telle qu'elle est actuellement délimitée.

(2) *avec la Grèce.*

—de là, jusqu'au point où la frontière qui avait été fixée par le Traité de Sophia du 26 Septembre 1915 traverse la rivière Maritza en amont d'Andrinople:

la rive gauche de la Maritza;

—de là, dans la direction du Sud-Est, jusqu'au point où elle traverse la rivière Maritza en aval d'Andrinople:

la frontière qui avait été fixée par le Traité de Sofia du 26 Septembre 1915, laissant à la Turquie la station à laquelle aboutit actuellement l'embranchement du chemin de fer spécialement construit pour desservir la ville d'Andrinople, et laissant à la Grèce la ville et la gare de Karagatch;

—de là, jusqu'à la Mer Egée:

la rive gauche de la Maritza.

Article 3.

De la Mer Méditerranée à la frontière de Perse, la frontière de la Turquie est fixée comme il suit:

(1) *avec la Syrie:*

La frontière definie dans l'article 8 de l'Accord franco-turc du 20 Octobre 1921:

SECTION I.

(1) TERRITORIAL CLAUSES.

Article 2.

From the Black Sea to the Ægean.

The frontier of Turkey is laid down as follows (*see* Map):—

(1) *With Bulgaria.*

From the mouth of the River Rezvaya, to the left bank of the River Maritza, the point of junction of the three frontiers of Turkey, Bulgaria and Greece:

the southern frontier of Bulgaria as already demarcated.

(2) *With Greece.*

Thence to the point where the frontier of the Treaty of Sofia, 1915, crosses the River Maritza above Adrianople:

the left bank of the River Maritza:

thence in a south-westerly direction to the point where it crosses the River Maritza, below Adrianople:

the frontier fixed by the Treaty of Sofia, 1915, leaving to Turkey the present terminus of the branch line specially constructed to serve the town of Adrianople, and to Greece the Town and Railway Station of Karagach:

thence to the Aegean Sea:

the left bank of the River Maritza.

Article 3.

From the Mediterranean to the frontier of Persia, the frontier of Turkey is laid down as follows:—

(1) *With Syria:*

The frontier established by Article 8 of the Franco-Turkish Agreement of October 20th, 1921.

(2) *avec l'Iraq:*

à partir du point où finit sur le Tigre la frontière visée à l'alinéa (1) du présent article:

une ligne à déterminer en conformité de la décision qui sera rendue à ce sujet par le Conseil de la Société des Nations.*

Article 4.

Les frontières décrites par le présent Traité sont tracées sur les cartes au-1/1000000e annexées au présent Traité. En cas de divergence entre le texte et la carte, c'est le texte qui fera foi.

Article 5.

Des Commissions de délimitation seront chargées de tracer sur le terrain les frontières décrites dans les articles 2 et 3 et non encore tracées. Ces Commissions seront composées de représentants des Puissances limitrophes intéressées, à raison d'un par chaque Puissance, et d'un Président choisi par eux parmi les ressortissants d'une tierce Puissance.

Elles auront tout pouvoir, non seulement pour la détermination des fractions définies sous le nom de "ligne à déterminer sur le terrain," mais encore, si elles le jugent nécessaire, pour la révision, dans le détail, des fractions définies par des limites administratives ou autrement. Elles s'efforceront, dans tous les cas, de suivre au plus près les définitions données dans les Traités, en tenant compte autant que possible des limites administratives et des intérêts économiques locaux.

Les décisions des Commissions seront prises à la majorité des voix et seront obligatoires pour les parties intéressées.

Les dépenses des Commissions de délimitation seront supportées également par les Parties intéressées.

(2) *With Iraq:*

From the point on the Tigris which constitutes the terminal point of the frontier referred to in paragraph (1) of this Article:

A line to be fixed in accordance with the decision to be given thereon by the Council of the League of Nations.*

Article 4.

The frontiers described by the present Treaty are traced on the one in a million maps attached to the present Treaty. In case of differences between the text and the map, the text will prevail.

Article 5.

Boundary Commissions will be appointed to trace on the ground such of the frontiers defined in Articles 2 and 3, as have not yet been delimited. These Commissions will be composed of representatives of the limitrophe States concerned; each Power shall appoint one representative, and a President shall be chosen by them from the nationals of a third Power.

They shall have the power, not only of fixing those portions which are defined as "a line to be fixed on the ground," but also, if the Commission considers it necessary, of revising in matters of detail portions defined by administrative boundaries or otherwise. They shall endeavour in all cases to follow as nearly as possible the descriptions given in the Treaties, taking into account, as far as possible, administrative boundaries and local economic interests.

The decisions of the Commissions will be taken by a majority, and shall be binding on the parties concerned.

The expenses of the Boundary Commission will be borne in equal shares by the parties concerned.

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* The British Delegation subsequently offered, provided the *status quo* was maintained, to postpone the reference to the League for twelve months, so as to allow time for a direct settlement between Turkey and Great Britain (*see* pages 844 and 851).

Article 6.

En ce qui concerne les frontières définies par le cours d'un fleuve ou d'une rivière et non par ses rives, les termes " cours " ou " chenal " employés dans les descriptions du présent Traité signifient : d'une part, pour les fleuves non navigables, la ligne médiane du cours d'eau ou de son bras principal, et d'autre part, pour les fleuves navigables, la ligne médiane du chenal de navigation principal. Toutefois, il appartiendra aux Commissions de délimitation, prévues par le présent Traité, de spécifier si la ligne frontière suivra, dans ses déplacements éventuels, le cours ou le chenal ainsi défini, ou si elle sera déterminée d'une manière définitive par la position du cours ou du chenal, au moment de la mise en viguer du présent Traité.

A moins de stipulations contraires du présent Traité, les frontières maritimes comprennent les îles et ilots situés à moins de trois milles de la côte.

Article 7.

Les divers Etats intéressés s'engagent à fournir aux Commissions tous documents nécessaires à leurs travaux, notamment des copies authentiques des procès-verbaux de délimitation des frontières actuelles ou anciennes, toutes les cartes à grande échelle existantes, les données géodésiques, les levés exécutés et non publiés, les renseignements sur les divagations des cours d'eau frontières. Les cartes, données géodésiques et levés même non publiés, se trouvant en la possession des autorités turques, devront être remis à Constantinople, dans le plus bref délai possible dès la mise en vigueur du présent Traité, aux Présidents des Commissions intéressées.

Les Etats intéressés s'engagent, en outre, à prescrire aux au-

Article 6.

In so far as frontiers defined by a waterway as distinct from its banks are concerned, the phrases " course " or " channel " used in the descriptions of the present Treaty signify, as regards non-navigable rivers, the median line of the waterway or of its principal branch, and, as regards navigable rivers, the median line of the principal channel of navigation. It will rest with the Boundary Commissions provided for by the present Treaty to specify whether the frontier line shall follow any changes of the course or channel which may take place, or whether it shall be definitely fixed by the position of the course or channel at the time when the present Treaty comes into force.

In the absence of provisions to the contrary in the present Treaty, islands and islets lying within three miles of the coast are included within the frontier of the coastal State.

Article 7.

The various States concerned undertake to furnish to the Commissions all documents necessary for their task, especially authentic copies of agreements fixing existing or old frontiers, all large scale maps in existence, geodetic data, surveys completed but unpublished, and information concerning the changes of frontier watercourses. The maps, geodetic data, and surveys, even if unpublished, which are in the possession of the Turkish authorities must be delivered at Constantinople with the least possible delay from the coming into force of the present Treaty to the Presidents of the Commissions concerned.

The States concerned also undertake to instruct the local torités locales de communiquer aux Commissions tous documents, notamment les plans, cadastres et livres fonciers, et de lour fournir sur leur demandes tous renseignements sur la propriété, les courants économiques et autres informations nécessaires.

Article 8.

Les divers Etats intéressés s'engagent à prêter assistance aux Commissions de délimitation, soit directement, soit par l'entremise des autorités locales, pour tout ce qui concerne le transport, le logement, la main-d'œuvre, les matériaux (poteaux, bornes) nécessaires à l'accomplissement de la mission.

En particulier, le Gouvernement turc s'engage à fournir, s'il est nécessaire, le personnel technique propre à assister les Commissions de délimitation dans l'accomplissement de leur tâche.

Article 9.

Les divers Etats interessés s'engagent à faire respecter les repères trigonométriques, signaux, poteaux ou bornes frontières placés par les Commissions.

Article 10.

Les bornes seront placées à distance de vue l'une de l'autre; elles seront numérotées et leur emplacement et leur numéro seront portés sur un document cartographique.

Article 11.

Les procès-verbaux définitifs de délimitation, les cartes et documents annexés seront établis en triple original, dont deux seront transmis aux Gouvernements des Etats limitrophes et le troisième sera transmis au Gouvernement de la République française, qui en délivrera des expéditions authentiques aux Puissances signataires du présent Traité.

authorities to communicate to the Commission all documents, especially plans, cadastral and land books, and to furnish on demand all details regarding property, existing economic conditions and other necessary information.

Article 8.

The various States interested undertake to give every assistance to the Boundary Commissions, whether directly or through local authorities, in everything that concerns transport, accommodation, labour, materials (sign posts, boundary pillars) necessary for the accomplishment of their mission.

In particular, the Turkish Government undertakes to furnish, if required, the technical personnel necessary to assist the Boundary Commissions in the accomplishment of their duties.

Article 9.

The various States interested undertake to safeguard the trigonometrical points, signals, posts or frontiers marks erected by the Commissioners.

Article 10.

The pillars will be placed so as to be intervisible. They will be numbered, and their position and their number will be noted on a cartographic document.

Article 11.

The protocols defining the boundary and the maps and documents attached thereto will be made out in triplicate, of which two copies will be forwarded to the Governments of the limitrophe States, and the third to the Government of the French Republic, which will deliver authentic copies to the Powers who sign the present Treaty.

Article 12.

La décision prise le 13 Février 1914 par la Conférence de Londres, en exécution des articles 5 du Traité de Londres du 17/30 Mai 1913 et 15 du Traité d'Athènes du 1/14 Novembre 1913, ladite décision notifiée au Gouvernement hellénique le 13 Février 1914, concernant la souveraineté de la Grèce sur les îles de la Méditerranée orientale, autres que les îles de Imbros et Tenedos, notamment les îles de Lemnos, Samothrace, Mitylène, Chio, Samos et Nikaria, est confirmée, sous réserve des stipulations du présent Traité relatives aux îles placées sous la souveraineté de l'Italie et visées à l'article 15. Sauf stipulation contraire du présent Traité, les îles situées à moins de trois milles de la côte asiatique, restent placées sous la souveraineté turque.

Article 13.

En vue d'assurer le maintien de la paix, le Gouvernement hellénique s'engage à observer les mesures suivantes dans les îles de Mitylène, Chio, Samos et Nikaria :

(1°) aucun base navale, ni aucune fortification, ne seront établies dans lesdites îles ;

(2°) il sera interdit à l'aviation militaire grecque de survoler le territoire de la côte d'Anatolie.

Réciproquement, le Gouvernement turc interdira à son aviation militaire de survoler lesdites îles.

(3°) Les forces militaires helléniques dans lesdites îles seront limitées au contingent normal appelé pour le service militaire qui pourra être instruit sur place, ainsi qu'à un effectif de gendarmerie et de police pro-

Article 12.

The decision taken on February 13th, 1914, by the Conference of London, in virtue of Articles 5 of the Treaty of London of 17-30 May, 1913, and 15 of the Treaty of Athens of 1-14 November, 1913, which decision was communicated to the Greek Government on February 13th, 1914, regarding the sovereignty of Greece over the islands of the Eastern Mediterranean other than the islands of Imbros and Tenedos, particularly the islands of Lemnos, Samothrace, Mytilene, Chios, Samos and Nikaria, is confirmed subject to the conditions contained in the present Treaty respecting the islands placed under the sovereignty of Italy which form the subject of Article 15. Except where a provision to the contrary is contained in the present Treaty, the islands situated at less than three miles from the Asiatic coast remain under Turkish sovereignty.

Article 13.

With a view to ensuring the maintenance of peace, the Greek Government undertakes to observe the following restrictions in the Islands of Mytilene, Chios, Samos and Nikaria:—

(1) No naval base and no fortification will be established in the said Islands.

(2) Greek military aircraft will be forbidden to fly over the territory of the Anatolian coast.

Reciprocally, the Turkish Government will forbid their military aircraft to fly over the said Islands.

(3) The Greek military forces in the said Islands will be limited to the normal contingent called up for military service, which can be instructed on the spot, as well as to a force of gendarmerie and police in proportion to the force

portionné à l'effectif de la gendarmerie et de la police existant sur l'ensemble du territoire hellénique.

Article 14.

Les îles de Imbros et Tenedos, demeurant sous la souveraineté turque, jouiront d'une organisation administrative spéciale composée d'élements locaux et donnant toute garantie à la population indigène non musulmane, en ce qui concerne l'administration locale ainsi que la protection des personnes et des biens. Le maintien de l'ordre y sera assuré par une police recrutée parmi la population indigène par les soins et placée sous les ordres de l'administration locale ci-dessus prévue.

Les stipulations conclues ou à conclure entre la Grèce et la Turquie concernant l'échange des populations grecques et turques ne seront pas applicables aux habitants des îles d'Imbros et de Tenedos.

Article 15.

La Turquie renonce en faveur de l'Italie à tous ses droits et titres sur les îles ci-après énumérées, savoir: Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lispsos (Lipso), Simi (Symi), et Cos (Kos), actuellement occupées par l'Italie, et les îlots qui en dépendent, ainsi que sur l'île de Castellorizzo (voir Carte No. 2).

Article 16.

La Turquie déclare renoncer à tous droits et titres de quelque nature que ce soit, sur ou concernant tous territoires situées au delà des frontières prévues par le présent Traité et sur les

of gendarmerie and police existing in the whole of the Greek territory.

Article 14.

The Islands of Imbros and Tenedos, remaining under Turkish sovereignty, shall enjoy a special administrative organisation composed of local elements and furnishing every guarantee for the native non-Moslem population in so far as concerns local administration and the protection for person and property. The maintenance of order will be assured therein by a police force recruited from amongst the local population by the local administration above provided for and placed under its orders.

The agreements which have been, or may be, concluded between Greece and Turkey relating to the exchange of the Greek and Turkish populations will not be applied to the inhabitants of the Islands of Imbros and Tenedos.

Article 15.

Turkey renounces in favour of Italy all her rights and title over the following islands: Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi), and Cos (Kos), which are now occupied by Italy, and the islets dependent thereon, and also over the island of Castellorizzo (*see* Map).

Article 16.

Turkey hereby renounces all rights and title whatsoever over or respecting all territories situated outside the frontiers provided for in the present Treaty and the islands other than îles autres que celles sur lesquelles la souveraineté lui est reconnue par ledit Traité.

Elle reconnaît et agrée les dispositions qui ont été ou seront prises concernant l'attribution, l'independence ou tout autre régime de ces territoires ou îles.

Article 17.

L'effet de la renonciation par la Turquie à tous les droits et titres sur l'Egypte et sur le Soudan prendra date du 5 Novembre 1914.

Article 18.

Des stipulations ultérieures, à intervenir dans des conditions à déterminer entre les Puissances intéressées, régleront les questions naissant de la reconnaissance de l'Etat égyptien, auquel ne s'appliquent pas les dispositions du présent Traité relatives aux territoires détachés de la Turquie en vertu dudit Traité.

Article 19.

La Turquie déclare reconnaître l'annexion de Chypre proclamée par le Gouvernement britannique le 5 Novembre 1914.

Les ressortissants turcs nés ou domiciliés dans l'île de Chypre acquerront, dans les conditions de la loi locale, la nationalité britannique, à l'exclusion de la nationalité ottomane.

Article 20.

Les droits et privilèges, qui, en vertu du Traité de Lausanne du 18 Octobre 1912, avaient été réservés en Libye au Sultan de Turquie, sont et demeurent définitivement abolis.

(2) DISPOSITIONS SPECIALES.

Article 21.

Les Hautes Parties Contractantes sont d'accord pour reconnaître et déclarer le principe de

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those over which her sovereignty is recognised by the said Treaty.

Turkey recognises and accepts the measures which have been or will be taken respecting the attribution, independence or any other *régime* of these territories or islands.

Article 17.

The renunciation by Turkey of all rights and titles over Egypt and over the Sudan will take effect as from November 5th, 1914.

Article 18.

The questions arising from the recognition of the State of Egypt shall be settled by agreements to be negotiated subsequently in a manner to be determined later between the Powers concerned. The provisions of the present Treaty relating to territories detached from Turkey under the said Treaty will not apply to Egypt.

Article 19.

Turkey hereby recognises the annexation of Cyprus proclaimed by the British Government on November 5th, 1914.

Turkish nationals born or habitually resident in Cyprus will acquire British nationality and lose their Turkish nationality, subject to the conditions laid down in the local law.

Article 20.

All rights and privileges which, under the Treaty of Lausanne of October 18th, 1912, were left to the Sultan of Turkey in Lybia are and remain definitely abolished.

(2) SPECIAL PROVISIONS.

Article 21.

The High Contracting Parties are agreed to recognise and declare the principle of freedom of la liberté de passage et de navigation, par mer et dans les airs, en temps de paix comme en temps de guerre, dans les Détroits des Dardanelles, la Mer de Marmara et le Bosphore.

La Convention spéciale, conclue à la date de ce jour, relativement au régime des Détroits, aura même force et valeur au regard des Hautes Parties ici contractantes que si elle figurait dans le présent Traité.

Article 22.

La Convention spéciale, conclue à la date de ce jour, relativement au régime de la frontière décrite dans l'article 2 du présent Traité, aura même force et valeur au regard des Hautes Parties ici contractantes que si elle figurait dans le présent Traité.

Article 23.

La Turquie s'engage à reconnaître la pleine valeur des Traités de paix et Conventions additionnelles, conclus par les autres Puissances contractantes avec les Puissances ayant combattu aux côtés de la Turquie, à agréer les dispositions qui ont été ou seront prises concernant les territoires de l'ancien Empire allemand, de l'Autriche, de la Hongrie et de la Bulgarie, et à reconnaître les nouveaux Etats dans les frontières ainsi fixées.

Article 24.

La Turquie déclare dès à présent reconnaître et agréer les frontières de l'Allemagne, de l'Autriche, de la Bulgarie, de la Grèce, de la Hongrie, de la Pologne, de la Roumanie, de l'Etat Serbe-Croate-Slovène et de l'Etat Tchéco-Slovaque, telles que ces frontières ont été ou seront fixées par les Traités visés à l'article 23 ou par toutes conventions complémentaires.

transit and of navigation, by sea and by air, in time of peace as in time of war, in the Straits of the Dardanelles, the Sea of Marmora and the Bosphorus.

The special Convention of even date, regarding the régime of the Straits, will have the same force and effect in so far as the present High Contracting Parties are concerned as if this Convention formed part of the present Treaty.

Article 22.

The special Convention of even date respecting the régime for the frontier described in Article 2 of the present Treaty will have equal force and effect in so far as the present High Contracting Parties are concerned as if it formed part of the present Treaty.

Article 23.

Turkey undertakes to recognise the full force of the Treaties of Peace and additional Conventions concluded by the other Contracting Powers with the Powers who fought on the side of Turkey, and to recognise whatever dispositions have been or may be made concerning the territories of the former German Empire, of Austria, of Hungary and of Bulgaria, and to recognise the new States within their frontiers as there laid down.

Article 24.

Turkey hereby recognises and accepts the frontiers of Germany, Austria, Bulgaria, Greece, Hungary, Poland, Roumania, the Serb-Croat-Slovene State and the Czecho-Slovak State as these frontiers have been or will be determined by the Treaties referred to in Article 23 or by any supplementary conventions.

Article 25.

Aucun pouvoir, ou juridiction en matière politique, législative, ou administrative ne seront exercés, pour quelque motif que ce soit, par le Gouvernement ou les autorités de la Turquie hors du territoire turc sur les ressortissants d'une territoire placé sous la souveraineté ou le protectorat des autres Puissances signataires du présent Traité, et sur les ressortissants d'un territoire détaché de la Turquie.

Il demeure entendu que le présent Traité ne porte pas atteinte aux prérogatives spirituelles des autorités religieuses des diverses croyances.

Article 26.

Les Hautes Parties Contractantes sont d'accord pour abroger les capitulations concernant le régime des étrangers en Turquie tant au point de vue des conditions d'accès et de séjour qu'au point de vue fiscal et judiciaire.

La Convention spéciale conclue sur ce sujet en date de ce jour aura même force et valeur au regard des Hautes Parties Contractantes que si les dispositions en figuraient dans le présent Traité.

Article 27.

Les ressortissants marocains (zone française) et les ressortissants tunisiens seront à tous égards soumis en Turquie au même régime que les autres ressortissants français.

Les ressortissants libyens seront à tous égards soumis en Turquie au même régime que les autres ressortissants italiens.

SECTION II.

NATIONALITE.

Article 28.

Les ressortissants turcs établis sur les territoires qui, en vertu

Article 25.

No power or jurisdiction in political, legislative or administrative matters shall be exercised outside Turkish territory by the Turkish Government or authorities for any reason whatsoever over the nationals of a territory placed under the sovereignty or the protectorate of the other Powers signatory of the present Treaty, or over the nationals of a territory detached from Turkey.

It is understood that the present Treaty in no way infringes the spiritual prerogatives of the religious authorities of the different beliefs.

Article 26.

The High Contracting Parties agree to abrogate the Capitulations relating to the régime of foreigners in Turkey both as regards conditions of entry and residence and as regards fiscal and judicial questions.

The separate convention of even date on this subject will have equal force and effect in so far as the High Contracting Parties are concerned as if it formed part of the present Treaty.

Article 27.

Natives ("ressortissants") of the French zone of Morocco and natives ("ressortissants") of Tunis shall enjoy the same treatment in all respects in Turkey as other French nationals ("ressortissants").

Natives ("ressortissants") of Libya shall enjoy the same treatment in all respects in Turkey as other Italian nationals ("ressortissants").

SECTION II.

NATIONALITY.

Article 28.

Turkish subjects hatitually resident in territory which in des dispositions du présent Traité, sont détachés de la Turquie, deviendront de plein droit et dans les conditions de la législation locale, ressortissants de l'Etat auquel le territoire est transféré.

Article 29.

Les personnes âgées de plus de 18 ans, perdant leur nationalité turque et acquérant de plein droit une nouvelle nationalité en vertu de l'article 28, auront la faculté, pendant une période de deux ans à dater de la mise en vigueur du présent Traité, d'opter pour la nationalité turque.

Article 30.

Les personnes, âgées de plus de 18 ans, qui sont établies sur un territoire détaché de la Turquie, en conformité du présent Traité, et qui y diffèrent, par la race, de la majorité de la population dudit territoire, pourront, dans le délai de deux ans à dater de la mise en vigueur du présent Traité, opter pour la nationalité d'un des Etats où la majorité de la population est de la même race que la personne exerçant le droit d'option, et sous réserve du consentement de cet Etat.

Article 31.

Les personnes ayant exercé le droit d'option, conformément aux dispositions des articles 29 et 30, devront, dans les douze mois qui suivront, transporter leur domicile dans l'Etat en faveur duquel elles auront opté.

Elles seront libres de conserver les biens immobiliers qu'elles possèdent sur le territoire de l'autre Etat, où elles auraient eu leur domicile antérieurement à leur option.

Elles pourront emporter leurs biens membles de toute nature Il ne leur sera imposé, de ce fait, aucun droit ou taxe, soit de sortie, soit d'entrée.

accordance with the provisions of the present Treaty is detached from Turkey will become *ipso facto*, in the conditions laid down by the local law, nationals of the State to which such territory is transferred.

Article 29.

Persons over eighteen years of age, losing their Turkish nationality and obtaining *ipso facto* a new nationality under Article 28, shall be entitled within a period of two years from the coming into force of the present Treaty to opt for Turkish nationality.

Article 30.

Persons over eighteen years of age, habitually resident in territory detached from Turkey, in accordance with the present Treaty, and differing in race from the majority of the population of such territory shall, within two years from the coming into force of the present Treaty, be entitled to opt for the nationality of one of the States in which the majority of the population is of the same race as the person exercising the right to opt and subject to the consent of that State.

Article 31.

Persons who have exercised the right to opt in accordance with the provisions of Articles 29 and 30 must, within the succeeding twelve months, transfer their place of residence to the State for which they have opted.

They will be entitled to retain their immovable property in the territory of the other State where they had their place of residence before exercising their right to opt.

They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

Article 32.

Sous réserve des accords qui pourraient être nécessaires entre les Gouvernements exerçant l'autorité dans les pays détachés de la Turquie et les Gouvernements des pays où ils sont établis, les ressortissants turcs, âgés de plus de 18 ans, originaires d'un territoire détaché de la Turquie en vertu du présent Traité et qui, au moment de la mise en vigueur de celui-ci, sont établis à l'étranger, pourront opter pour la nationalité en vigueur dans le territoire dont ils sont originaires, s'ils se rattachent par leur race à la majorité de la population de ce territoire, et si le Gouvernement y exerçant l'autorité y consent. Ce droit d'option devra être exercé dans le délai de deux ans à dater de la mise en vigueur du présent Traité.

Article 33.

Les Hautes Parties Contractantes s'engagent à n'apporter aucune entrave à l'exercice du droit d'option, prévu par le présent Traité ou par les Traités de paix conclus avec l'Allomagne, l'Autriche, la Bulgarie ou la Hongrie, ou par un Traité conclu par les Puissances alliées, ou l'une d'elles, avec la Russie, ou entre les Puissances alliées ellesmêmes, et permettant aux intéressés d'acquérir toute autre nationalité qui leur serait ouverte.

Article 34.

Les femmes mariées suivront la condition de leurs maris et les enfants âgés de moins de 18 ans suivront la condition de leurs parents pour tout de qui concerne l'application des dispositions de la présente Section.

Article 35.

Les Juifs de nationalité non ottomane, établis en Palestine à la date de la mise en vigueur du

Article 32.

Subject to any agreements which it may be necessary to conclude between the Governments exercising authority in the countries detached from Turkey and the Governments of the countries where the persons concerned are resident, Turkish nationals of over eighteen years of age who are natives of a territory detached from Turkey, under the present Treaty, and who on its coming into force are habitually resident abroad, may opt for the nationality of the territory of which they are natives if they belong by race to the majority of the population of that territory and subject to the consent of the Government exercising authority therein. This right of option must be exercised within two years from the coming into force of the present Treaty.

Article 33.

The High Contracting Parties undertake to put no hindrance in the way of the exercise of the right which the persons concerned have under the present Treaty, or under the treaties of Peace concluded with Germany, Austria, Bulgaria or Hungary, or under any Treaty concluded by the Allied Powers, or any of them, with Russia, or between any of the Allied Powers themselves, to choose any other nationality which may be open to them.

Article 34.

For the purposes of the provisions of this section, the status of a married woman will be governed by that of her husband, and the status of children under eighteen years of age by that of their parents.

Article 35.

Jews of other than Turkish nationality who are habitually resident in Palestine on the présent Traité, auront la faculté d'acquérir la nationalité palestinienne en faisant une déclaration dans telles formes et conditions qui seront prescrites par la loi.

SECTION III.

PROTECTION DES MINORITES.

Article 36.

La Turquie s'engage à ce que les stipulations contenues dans les articles 37 à 43 soient reconnues comme lois fondamentales, à ce qu'aucune loi, aucun règlement, ni aucune action officielle ne soient en contradiction ou en opposition avec ces stipulations et à ce qu'aucune loi, aucun règlement ni aucune action officielle ne prévalent contre elles.

Article 37.

Le Gouvernement turc s'engage à accorder à tous les habitants de la Turquie pleine et entière protection de leur vie et de leur liberté, sans distinction de naissance, de nationalité, de langue, de race ou de religion.

Tous les habitants de la Turquie auront droit au libre exercice, tant public que privé, de toute foi, religion ou croyance dont la pratique ne sera pas incompatible avec l'ordre public et les bonnes mœurs.

Les minoritiés non musulmanes jouiront pleinement de la liberté de circulation et d'émigration sous réserve des mesures s'appliquant, sur la totalité ou sur une partie du territoire, à tous les ressortissants turcs et qui seraient prises par le Gouvernement turc pour la défense nationale ou pour le maintien de l'ordre public.

Article 38.

Les ressortissants turcs appartenant aux minorités non musul-

coming into force of the present Treaty will have the right to become citizens of Palestine by making a declaration in such form and under such conditions as may be prescribed by law.

SECTION III.

PROTECTION OF MINORITIES.

Article 36.

Turkey undertakes that the stipulations contained in Articles 37 to 43 shall be recognised as fundamental laws and that no law, no regulation, nor official action shall conflict or interfere with these stipulations, nor shall any law, regulation, nor official action prevail over them.

Article 37.

The Turkish Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion.

All inhabitants of Turkey shall be entitled to free exercise, whether in public or private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals.

Non-Moslem minorities will enjoy full freedom of movement and of emigration subject to the measures applied, on the whole or on a part of the territory, to all Turkish nationals, and which may be taken by the Turkish Government for national defence or for the maintenance of public order.

Article 38.

Turkish nationals belonging to non-Moslem minorities will enjoy manes jouiront des mêmes droits civils et politiques que les musulmans.

Tous les habitants de la Turquie, sans distinction de religion, seront egaux devant la loi.

La différence de religion, de croyance ou de confession ne devra nuire à aucun ressortissant turc en ce qui concerne la jouissance des droits civils et politiques, notamment pour l'admission aux emplois publics, fonctions et honneurs ou l'exercice des différentes professions et industries.

Il ne sera édicté aucune restriction contre le libre usage pour tout ressortissant turc d'une langue quelconque, soit dans les relations privées ou de commerce, soit en matière de religion, de presse ou de publications de toute nature, soit dans les réunions publiques.

Nonobstant l'existence de la langue officielle, des facilités appropriées seront données aux ressortissants turcs de langue autre que le turc, pour l'usage oral de leur langue devant les tribunaux.

Article 39.

Les ressortissants turcs appartenant à des minorités non musulmanes jouiront du même traitement et des mêmes garanties en droit et en fait que les autres ressortissants turcs. Ils auront notamment un droit égal à créer, diriger et contrôler à leurs frais toutes institutions charitables, religieuses ou sociales, toutes écoles et autres établissements d'enseignement et d'éducation, avec le droit d'y faire librement usage de leur propre langue et d'y exercer librement leur religion.

Article 40.

En matière d'enseignement public, le Gouvernement turc accordera dans les villes et districts où réside une proportion

the same civil and political rights as Moslems.

All the inhabitants of Turkey without distinction of religion shall be equal before the law.

Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as for instance admission to public employments, functions and honours, or the exercise of professions and industries.

No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the Press, or in publications of any kind or at public meetings.

Notwithstanding the existence of the official language, adequate facilities shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the Courts.

Article 39.

Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein.

Article 40.

As regards public instruction, the Turkish Government will grant in those towns and districts, where a considerable proconsidérable de ressortissants non musulmans, des facilités appropriées pour assurer que dans les écoles primaires l'instruction soit donnée dans leur propre langue aux enfants de ces ressortissants turcs. Cette stipulation n'empêchera pas le Gouvernement turc de rendre obligatoire l'enseignement de la langue turque dans lesdites écoles.

Dans les villes ou districts où existe une proportion considérable de ressortissants turcs appartenant à des minorités non musulmanes, ces minorités se verront assurer une part équitable dans le bénéfice et l'affectation des sommes qui pourraient être attribuées sur les fonds publics par le budget de l'Etat, les budgets municipaux ou autres, dans un but d'éducation, de religion ou de bienfaisance.

Les fonds en question seront versés aux représentants qualifiés des établissements et institutions intéressés.

Article 41.

Le Gouvernement turc agrée de prendre à l'égard des minorités non musulmanes, en ce qui concerne leur statut familial ou personnel, toutes dispositions permettant de régler ces questions selon les usages de ces minorités.

Ces dispositions seront élaborées par des commissions spéciales composées en nombre égal de représentants du Gouvernement turc et de représentants de chacune des minorités intéressés. En cas de divergence, le Gouvernement turc et le Conseil de la Société des Nations nommeront d'un commun accord un surarbitre choisi parmi les jurisconsultes européens.

Le Gouvernement turc s'engage à accorder toute protection aux églises, synagogues, cimetières et autres établissements religieux

portion of non-Moslem nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision will not prevent the Turkish Government from making the teaching of the Turkish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Turkish nationals belonging to non-Moslem minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious or charitable purposes.

The sums in question shall be paid to the qualified representatives of the establishments and institutions concerned.

Article 41.

The Turkish Government undertakes to take, as regards non-Moslem minorities in so far as concerns their family law or personal status, measures permitting the settlement of these questions in accordance with the customs of those minorities.

These measures will be elaborated by special Commissions composed of representatives of the Turkish Government and of representatives of each of the minorities concerned in equal number. In case of divergence, the Turkish Government and the Council of the League of Nations will appoint in agreement an umpire chosen from amongst European lawyers.

The Turkish Government undertakes to grant full protection to the churches, synagogues, cemeteries, and other religious estabdes minorités précitées. Toutes facilités et autorisations seront données aux fondations pieuses et aux établissements religieux et charitables des mêmes minorités actuellement existants en Turquie, et le Gouvernement turc ne refusera, pour la création de nouveaux établissements religieux et charitables, aucune des facilités nécessaires qui sont garanties aux autres établissements privés de cette nature.

Article 42.

Les ressortissants turcs, appartenant aux minorités non musulmanes, ne seront pas astreints à accomplir un acte quelconque constituant une violation de leur foi ou de leurs pratiques religieuses, ni frappés d'aucune incapacité s'ils refusent de comparaître devant les tribunaux ou d'accomplir quelque acte légal le jour de leur repos hebdomadaire.

Toutefois, cette disposition ne dispensera pas ces ressortissants turcs des obligations imposées à tous autres ressortissants turcs en vue du maintien de l'ordre public.

Article 43.

La Turquie convient que, dans la mesure où les articles précédents de la présente section affectent les ressortissants non musulmans de la Turquie, ces stipulations constituent des obligations d'intérêt international et soient placées sous la garantie de la Société des Nations. Elles ne pourront être modifiées sans l'assentiment de la majorité du Conseil de la Société des Nations. L'Empire Britannique, la France, l'Italie et le Japon, s'engagent, par les présentes, à ne pas refuser leur assentiment à toute modification desdits articles, qui serait consentie en due forme par la majorité du Conseil de la Société des Nations.

lishments of the above-mentioned minorities. Facilities and authorisation will be granted to the pious foundations, and to the religious and charitable institutions of the said minorities at present existing in Turkey, and the Turkish Government will not refuse, for the formation of new religious and charitable institutions, any of the necessary facilities which are guaranteed to the other private institutions of that nature.

Article 42.

Turkish nationals, belonging to non-Moslem minorities, shall not be compelled to perform any act which constitutes a violation of their faith or religious observances, and shall not be placed under any disability by reason of their refusal to attend Courts of Law or to perform any legal business on their weekly day of rest.

This provision, however, shall not exempt such Turkish nationals from such obligations as shall be imposed upon all other Turkish nationals for the preservation of public order.

Article 43.

Turkey agrees that, in so far as the preceding Articles of this Section affect non-Moslem nationals of Turkey, these provisions constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of the majority of the Council of the League of Nations. The British Empire, France, Italy and Japan hereby agree not to withhold their assent to any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

La Turquie agrée que tout membre du Conseil de la Société des Nations aura le droit de signaler à l'attention du Conseil toute infraction ou danger d'infraction à l'une quelconque de ces obligations, et que le Conseil pourra procéder de telle façon et donner telles instructions qui paraîtront appropriées et efficaces dans la circonstance.

La Turquie agrée, en outre, qu'en cas de divergence d'opinions sur des questions de droit ou de fait concernant ces articles, entre le Gouvernement turc et l'une quelconque des autres Puissances signataires ou toute autre Puissance, membre du Conseil de la Société des Nations, cette divergence sera considérée comme un différend ayant un caractère international selon les termes de l'article 14 du Pacte de la Société des Nations. Le Gouvernement turc agrée que tout différend de ce genre sera, si l'autre partie le demande, déféré à la Cour Permanente de Justice Internationale. La décision de la Cour Permanente sera sans appel et aura la même force et valeur qu'une décision rendue en vertu de l'article 13 du Pacte.

Article 44.

Les droits reconnus par les stipulations de la présente Section aux minorités non musulmanes de la Turquie, sont également reconnus par la Grèce à la minorité musulmane se trouvant sur son territoire.

PARTIE II.

CLAUSES FINANCIERES.

SECTION I.

Dette Publique Ottomane.

Article 45.

Les Etats de la Péninsule balkanique, les îles visées à

Turkey agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction or danger of infraction of any of these obligations, and that the Council may thereupon take such action and give such directions as it may deem proper and effective in the circumstances.

Turkey further agrees that any difference of opinion as to questions of law or of fact arising out of these Articles between the Turkish Government and any one of the other signatory Powers or any other Power, a member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Turkish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

Article 44.

The rights allowed by the provisions of the present section to the non-Moslem minorities of Turkey will be similarly allowed by Greece to the Moslem minority in her territory.

PART II.

FINANCIAL CLAUSES.

SECTION I.

Ottoman Public Debt.

Article 45.

States of the Balkan Peninsula, the islands referred to in Article l'article 15 du présent Traité et les Etats nouvellement créés en Asie, en faveur desquels un territoire à été détaché de la Turquie soit à la suite des guerres balkaniques en 1912-13 soit en vertu du présent Traité, devront participer, dans les conditions indiquées ci-dessous, aux charges annuelles afférentes au service de la Dette Publique Ottomane, telle qu'elle est définie dans le Tableau ci-annexé (voir Annexe I), sous réserve des dispositions contenues dans l'article 50.

Ces Etats devront, dans le délai de trois mois à compter du jour où la notification leur aura été faite, aux termes de l'article 51, de la part qui leur incombe respectivement dans les charges annuelles ci-dessus visées, donner au Conseil de la Dette des gages suffisants pour le paiement de leur part.

Dans le cas où ces gages n'auraient pas été constitués dans le délai indiqué ci-dessus, comme en cas de divergence sur la convenance des gages constitués ou des modalités de paiement, il pourra être fait appel au Conseil de la Société des Nations par tout gouvernement intéressé ou par le Conseil de la Dette Publique Ottomane, ce dernier étant autorisé à agir, à cet égard, pour le compte de tous les porteurs de la Dette Publique Ottomane telle qu'elle est définie dans la Tableau ci-annexé.

Le Conseil de la Société des Nations pourra confier la perception des revenus donnés en gage aux organisations financières internationales existant dans les pays annexants. Les décisions du Conseil de la Société des Nations seront souveraines.

A compter des dates fixées par l'article 52, la Turquie ne pourra pas être rendue responsable des parts contributives mises à la charge des autres Etats.

15 of the present Treaty and the newly-created States in Asia, in favour of whom territory has been detached from Turkey, either after the Balkan wars of 1912-13 or under the present Treaty, shall participate, under the conditions laid down in this part, in the annual charge for the service of the Ottoman Public Debt, as defined in the Table annexed to this part (*see* Annex I), subject to the provisions of Article 50.

These States shall, within three months from the date on which they are notified under Article 51 of the share of the above annual charge allotted to them respectively, give to the Council of the Debt adequate guarantees for the payment of such share.

In the case of any failure to give such guarantees within the above period, and in the case of any disagreement as to the sufficiency of the guarantees and method of payment proposed, it shall be open to any of the Governments concerned and the Council of the Debt (which shall for this purpose be authorised to act on behalf of the holders of the Ottoman Public Debt, as defined in Annex I to this part) to appeal to the Council of the League of Nations.

The Council of the League of Nations shall be empowered to entrust the collection of the revenues assigned as a guarantee to any international financial organisations already existing in the countries concerned. The decisions of the Council of the League of Nations shall be final.

From the dates laid down by Article 52 Turkey shall no longer be held responsible for the shares assigned to other States.

Article 46.

Par application du dernier alinéa de l'article 45, le capital nominal de la Dette Publique Ottomane qui est déterminée dans cet article pourra, avec le consentement des porteurs,* être réparti entre les Etats intéressés si un de ces Etats en fait la demande dans un délai de trois mois à compter de la date de la mise en vigueur du présent Traité. Cette répartition devra être faite d'après les proportions adoptées pour le partage des annuités et en tenant compte des stipulations des Conventions d'emprunt ou d'avances et des dispositions de la présente Section.

Une Commission sera, le cas échéant, réunie à Paris en vue de fixer les modalités de cette répartition. Elle sera composée des délégués du Gouvernement turc, des délégués de chaçun des Etats susmentionnés, des membres du Conseil de la Dette Publique Ottomane et des représentants de la Dette Publique Ottomane autre que la Dette unifiée et les Lots turcs.

Le paiement des parts contributives ne pourra pas être différé par suite des dispositions ci-dessus.

Article 47.

La Turquie s'entendra avec le Conseil de la Dette, dans le délai fixé à l'article 45 pour compléter, s'il y a lieu, les gages existants de façon à assurer en totalité le service de la portion d'annuité restant à sa charge.

Article 48.

La répartition des charges annuelles, dont il est fait mention à l'article 45 aura lieu de la manière suivante :

1° Les annuités afférentes aux emprunts antérieurs au 17

Article 46.

In conformity with the last paragraph of Article 45, the nominal capital of the Ottoman Public Debt as defined in that Article may, with the consent of the bondholders,* be divided between the States concerned, if one of these States so requests within a period of three months from the date of the coming into force of the present Treaty. This division shall be made on the same basis as that laid down for the division of the annuities and with due regard to the terms of the contracts relating to the loans or advances and to the provisions of this Section.

A Commission shall, if necessary, meet at Paris in order to decide the method in which this division shall be carried out. The Commission shall consist of representatives of the Turkish Government, representatives of each of the above-mentioned States, the members of the Council of the Ottoman Public Debt and representatives of the Ottoman public debt other than the Unified Debt and the "Lots turcs."

The payment of the annuities shall not be suspended in consequence of the above provisions.

Article 47.

Turkey shall, within the period laid down by Article 45, arrange with the Council of the Debt to supplement, if necessary, the present assigned revenues in such a manner as to ensure the payment in full of the share of the annuity for which she remains responsible.

Article 48.

The distribution of the annual charge referred to in Article 45 shall be effected in the following manner :—

1. Annuities arising from loans prior to the 17th October,

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* The words "with the consent of the bondholders" were subsequently suppressed ; *see* page 832, paragraph 2.

octobre 1912, seront réparties entre la Turquie et les Etats balkaniques en faveur desquels un territoire a été détaché de la Turquie à la suite des guerres balkaniques de 1912-13 en tenant compte des changements territoriaux intervenus depuis la mise en vigeur des Traités qui ont mis fin à ces guerres ou des Traités postérieurs.

2° Le solde des annuités restant à la charge de la Turquie après cette première répartition, augmenté des annuités afférentes aux emprunts contractés par la Turquie entre le 17 octobre 1912 et le 1er novembre 1914, sera réparti entre la Turquie, les îles visées à l'article 15, les Etats balkaniques, et les Etats nouvellement creés en Asie, en faveur desquels un territoire a été détaché de la Turquie en vertu du présent Traité.

Article 49.

Le montant de l'annuité à payer par chaque Etat intéressé devra être, vis-à-vis de la somme totale exigée pour le service de la Dette Publique Ottomane, dans la même proprotion que le revenu moyen du territoire transféré vis-à-vis du revenu moyen total de la Turquie pendant les années financières 1910-1911 et 1911-1912, y compris dans chaque cas, le produit des surtaxes douanières établies en 1907.

Article 50.

Une divergence de vues s'étant manifestée en ce qui concerne la répartition entre la Turquie et les Etats de la Péninsule Balkanique, les îles visées à l'article 15 du présent Traité et les Etats nouvellement créés en Asie en faveur desquels un territoire a été détaché de la Turquie, des charges qui incombent ou in-

1912, shall be distributed between Turkey and the Balkan States in favour of whom territory was detached from Turkey after the Balkan wars of 1912-13, on the basis of the territorial changes which have occurred under the treaties made at the conclusion of those wars or under subsequent treaties.

2. The residue of the annuities for which Turkey remains liable after the first distribution, together with the annuities arising from loans contracted by Turkey between the 17th October, 1912, and the 1st November, 1914, shall be distributed between Turkey, the islands referred to in Article 15 of the present Treaty, the Balkan States, and the newly-created States in Asia in whose favour territory is detached from Turkey under the present Treaty.

Article 49.

The amount of the annuity to be paid by each of the Governments concerned shall bear the same proportion to the sum required for the total service of the Otoman Public Debt as the average revenue from the transferred territory bore to the average revenue from the whole of Turkey over the financial years 1910-11 and 1911-12. The yield of the customs surtax imposed in 1907 shall be included in each case.

Article 50.

A difference of opinion having arisen on the subject of the division between Turkey and the States of the Balkan Peninsula and the islands referred to in Article 15 of the present Treaty and the newly-created States in Asia in favour of which territory has been detached from Turkey of the payments for which the

combaient à l'Empire Ottoman du chef des garanties kilométriques dont jouissent ou jouissaient certaines lignes de chemins de fer, il a été décidé de soumettre ce différend à la Cour Permanente de Justice Internationale de La Haye (voir Annexe II), dont les Hautes Parties Contractantes s'engagent à accepter la décision. Jusqu'à ce que cette décision soit rendue, le paiement des parts contributives aura lieu provisoirement en conformité du Tableau annexé à la présente Section (voir Annexe I).

Article 51.

Le Conseil de la Dette Publique Ottomane devra, dans un délai maximum de trois mois à dater de la mise en vigueur du présent Traité, déterminer sur les bases établies par l article 49 le montant des annuités incombant à chacun de ces Etats et leur notifier ce montant.

Les Etats intéressés auront la faculté d'envoyer à Constantinople des délégués pour suivre les travaux du Conseil de la Dette Publique Ottomane ayant pour objet la fixation des annuités qui leur incomberont.

Le Conseil de la Dette remplira les fonctions qui sont prévues par l'article 134 du Traité de Paix du 27 novembre 1919 avec la Bulgarie.

Tous différends pouvant surgir entre les Parties intéressées sur l'application des principes contenus dans le présent article, devront être déférés au Conseil de la Société des Nations dans un délai de trois mois à dater de la notification prévu à l'alinéa 1er et seront tranchés par un arbitre désigné par ledit Conseil. Ces pourvois ne seront pas suspensifs.

Ottoman Empire is or was liable on account of kilometric guarantees granted to certain railways, it has been decided to submit this difference to the Permanent Court of International Justice at The Hague (*see* Annex II), and the High Contracting Parties undertake to accept the decision of this Court. Until this decision is given the payment of the annuities will be made provisionally in accordance with the table annexed to this Section (*see* Annex I).

Article 51.

The Council of the Ottoman Public Debt shall, not more than three months after the coming into force of the present Treaty, determine the amounts of the annuities payable by each of the Governments concerned, and shall notify those Governments of such amounts.

The States concerned shall be granted an opportunity to send to Constantinople delegates to check the calculations by which the Council of the Ottoman Public Debt will determine the amount of the annuities for which these States are to be liable.

The Council of the Debt shall fulfil the functions provided for in Article 134 of the Treaty of Peace with Bulgaria of the 27th November, 1919.

Any disputes arising in respect of the provisions of this Article between the parties concerned shall be referred within three months from the date of the notification referred to in the first paragraph to the Council of the League of Nations and shall be decided by an arbitrator appointed by the Council. Such reference shall not delay the execution of this Article.

Article 52.

Les annuités dues par les Etats qui ont annexé des territoires détachés de la Turquie à la suite des guerres balkaniques, seront exigibles à dater de la mise en vigueur des Traités qui ont consacré l'annexion de ces territoires aux Etats balkaniques. Les annuités dues par les Etats qui ont acquis des territoires détachés de la Turquie en vertu du présent Traité, seront exigibles à dater du 1er mars 1920.

Sous la réserve prévue à l'article 55, ces annuités continueront à être dues jusqu'à la liquidation définitive de la dette à laquelle elles se rapportent. Toutefois, elles seront, proportionnellement réduites au fur et à mesure que les emprunts, qui constituent cette dete, arriveront à extinction conformément aux dates spécifiées par les contrats visés dans la colonne 2 du Tableau ci-annexé (voir Annexe I).

Les Bons du Trésor de 1911, 1912 et 1913 énumérés audit Tableau, seront stipulés remboursables, avec intérêts, dans le délai de dix ans après les dates inscrites dans la colonne 8.

Article 53.

Le Gouvernement turc s'entendra avec le Conseil de la Dette sur les mesures à prendre pour compléter le montant des coupons arriérés de la Dette Publique Ottomane, en tenant compte des arrangements qui devront intervenir entre le Conseil et les Etats visés à l'article 45 pour le règlement des annuités qui n'auraient pas été payées à la de la mise en vigueur du présent Traité. Le règlement de ces dernières annuités devra être effectué sans intérêts dans le délai de vingt années à compter de la mise en vigueur du présent Traité.

Article 52.

The annuities above provided will, in the case of territories detached from Turkey after the Balkan wars of 1912-13, be payable as from the date of the coming into force of the treaties by which the respective territories were detached from Turkey, and, in the case of territories detached under the present Treaty, from the 1st March, 1920.

The annuities shall continue to be payable (except as provided by Article 55) until the date on which the final liquidation of the debt is due to take place. They shall, however, be proportionately reduced as the loans constituting the debt are due to be extinguished on the dates on which the loans are due to be repaid in accordance with the contracts referred to in column 2 of the annexed Table (*see* Annex I.).

For this purpose, however, the Treasury Bonds of 1911, 1912 and 1913, referred to in this Table, shall be deemed to be repayable ten years later than the dates set forth in column 8.

Article 53.

The Turkish Government shall concert with the Council of the Debt in regard to the steps to be taken to make up any deficiencies in the amount required for the arrears of the coupons of the Ottoman Public Debt, due regard being had to the arrangements which are to be made between the Council of the Debt and the Governments referred to in Article 45 for the discharge of the annuities which had not been paid at the date of the coming into force of the present Treaty. The amounts due in respect of these annuities shall be paid without interest within 20 years from the coming into force of the present Treaty.

Article 54.

Le Gouvernement turc se reconnaît débiteur envers le Conseil de la Dette d'une somme équivalente au produit des revenus affectés jusqu'à présent au service de la Dette Publique Ottomane dans les territoires restant turcs et qui auraient dû être versés, mais n'ont pas encore été versés, au Conseil de la Dette, à moins que ces territoires n'aient été occupés par les forces alliées, et excepté dans ce cas, pour la période d'occupation. Le Gouvernement turc s'entendra avec le Conseil de la Dette sur le mode de règlement de cette somme.

Article 55.

Chacun des Etats, qui aux termes du présent Traité doivent supporter annuellement une part du service de la Dette Publique Ottomane, pourra, moyennant un préavis de six mois au Conseil de la Dette, racheter cette obligation en tout ou en partie par le versement d'une somme représentant la valeur de l'annuité en question ou d'une partie de cette annuité capitalisée à un taux d'intérêt qui sera fixé, ainsi que les conditions de rachat, d'un commun accord par l'Etat intéressé et par le Conseil de la Dette.

Le Conseil de la Dette n'aura pas le droit d'exiger ce rachat.

Article 56.

Le décret de Mouharrem et les décrets annexés du 14 septembre 1903, du 24 mai/4 juin 1911, ainsi que les décrets afférents aux emprunts contractés avant le 1er novembre 1914, sont confirmés.

Le Gouvernement turc s'engage à exécuter, en tout ce qui le concerne, les dispositions de l'article 258 du Traité de Paix du 28 juin 1919 avec l'Allemagne et

Article 54.

The Turkish Government recognises as a liability due by it to the Council of the Debt a sum equal to the arrears of any revenues hereto affected to the service of the Ottoman Public Debt within the territories remaining Turkish, which should have been but have not been paid to the Council of the Debt, except where such territories have been in the military ocupation of Allied forces, and for the time of such occupation. The Turkish Government shall concert with the council of the Debt in regard to the method of payment of this sum.

Article 55.

Any of the Governments which under the present Treaty are to contribute to the annual charge for the service of the Ottoman Public Debt may, upon giving six months' notice to the Council of the Debt, redeem, either in whole or in part, such obligation by payment of a sum representing the value of such contribution, or a part thereof, capitalised at such rate of interest and on such terms as may be agreed between the Government concerned and the Council of the Debt.

The Council of the Debt shall not have the power to require such redemption.

Article 56.

The decree of Mouharrem and the decrees of the 14th September, 1903, and the 24th May/4th June, 1911, annexed thereto, as well as the decrees relating to the loan contracts prior to the 1st November, 1914, are confirmed.

The Turkish Government agrees to carry out, so far as it is concerned, the provisions of Article 258 of the Treaty of Peace of 28th June, 1919, with Germany and of

les dispositions correspondantes des Traités de Paix du 10 septembre 1919 avec l'Autriche et du 4 juin 1920 avec la Hongrie, aux termes desquelles ces Puissances ont renoncé à toute représentation ou participation dans toutes organisations et commissions de contrôle ou de gestion financière ou économique en Turquie.

the corresponding Articles in the Treaties of Peace of 10th September, 1919, with Austria and of 4th June, 1920, with Hungary, in accordance with which those countries have renounced all right to be represented on or take part in all organisations and commissions of financial or economic control or administration in Turkey.

ANNEXE I A LA SECTION I.

DETTE PUBLIQUE OTTOMANE ANTERIEURE AU NOVEMBRE, 1914.

EMPRUNT. 1.	Date du Contrat. 2.	Intérêt. 3.	Fonds d'amortissement Livres turques or 4.	Capital nominal originaire Livres turques or 5.	Capital existant au 5 novembre 1914 Livres turques or 6.	Annuité exigée (Commission comprise) Livres turques or 7.	Période d'amortissement 8.	BANQUE D'EMISSION. 9.
		Per cent.	Per cent.					
Dette unifiée	14/9/1903-8-21/6/1906	4	0·464	42.275.772	36.799.840	1.887.375	—	—
Lots turcs	5/1/1870	—	—	15.632.548	10.666.975	270.000	—	—
Osmanié	18-30/4/1890	4	1·	4.999 500	2.952.400	249.975	1931	Banque impériale ottomane.
Priorité Tombac	26/4-8/5/1893	4	1·	1.000.000	664.510	50.250	1954	Banque impériale ottomane.
40.000.000 frs. Chemins de fer orientaux.	1-13/5/1894	4	0·35	1.760.000	1.567.192	76.751	1957	Deutsche Bank et son groupe y compris la Banque int. et 2 banques françaises.
5 per cent. 1896	29/2-12/3/1896	5	0·50	3.272.720	2.814.020	180.450	1946	Banque impériale ottomane.
Douanes 1902	17 - 29/5/1886 - 28/9 - 11/10/1902.	4	0·50	8.600.020	7.923.234	387.976	1958	Banque impériale ottomane
4 per cent. 1903, Pêcheries	3/10/1888-21/2-6/3/1903	4	0·50	2.640.000	2.439.228	119.097	1958	Deutsche Bank.
Bagdad Série I.	20/2-5/3/1903	4	0·087538	2.376.000	2.342.252	97.120	2001	Deutsche Bank.
4 per cent. 1904	4-17/9/1903	4	0·50	2.750.000	2.594.064	124.059	1960	Banque impériale ottomane.
4 per cent. 1901-1905	21/11-4/12/1901-6/11/1903 -25/4-8/5/1905.	4	0·50	5.306.664	4.976.422	239.397	1961	Banque impériale ottomane.
Tedjhizat-Askérié	4-17/4/1905	4	0·50	2.640.000	2.441.340	119.097	1961	Deutsche Bank.
Bagdad, Série II.	20/5-2/6/1908	4	0·087538	4.752.000	4.718.120	200.500	2006	Deutsche Bank.
Bagdad, Série III.	20/5-2/6/1908	4	0·087538	5,236.000	5.221.700	220.550	2010	Deutsche Bank.
4 per cent. 1908	6-19/9/1908	4	0·50	4.711.124	4.538.908	212.000	1965	Banque impériale ottomane.
4 per cent. 1909	30/9-13/10/1909	4	1·	7.000.004	6.550.698	350.864	1950	Banque impériale ottomane.
Soma-Panderma	20/11-3/12/1910	4	0·16715	1.712.304	1.700.644	71.532	1992	Banque impériale ottomane.
Hodeïda-Sanaa	24/2-9/3/1911	4	0·098738	1.000.010	1,000.010	40.988	2006	Banque française.
Douanes 1911	27/10-9/11/1910	4	1·	7.040.000	6.699.880	352.440	1952	Deutsche Bank et son groupe.
Irrigation de la plaine de Koniah	5-18/11/1913	—	—	818.970	818.970	50.006	1932	—
Docks, arsenaux et constructions navales	19/11-2/12/1913	5·50	1·50	1.485.000	1.485.000	88.550	1943	—
5 per cent. 1914	13-26/4/1914	5	0·50	22.000.000	22.000.000	1,213.055	(1962)	Banque impériale ottomane.
Avance Régie des Tabacs	4/8/1913	—	—	1,700.000	890.039	110.000	—	—
Bons du Trésor 5 per cent. 1911 (achat de vaisseaux de guerre).	13/7/1911	5	variable, moyenne : 20·00	1,779.569	931.040	186.208	1916*	Banque nationale de Turquie.
Bons du Trésor, Banque impériale Ottomane, 1912.	8-21/11/1912	6	33·333	3.000.008	1.063.664	1,000.003	1915*	Banque impériale ottomane.
Bons du Trésor, Périer & Co., 1913	19/1-1/2/1913	5	20·	4.400.000	3.300.000	1.100.000	1918*	Pérrier & Co.
TOTAL				159.888.213	139.100.150	8.998.213		

* Voir Article 52.

ANNEX I.

THE OTTOMAN PRE-WAR PUBLIC DEBT (NOVEMBER 1, 1914).

Loan 1.	Date of Contract. 2.	Interest. 3.	Sinking Fund. £T. Gold. 4.	Original Nominal Capital. £T. Gold. 5.	Capital Outstanding on November 5, 1914. £T. Gold. 6.	Annuity (including Commission) £T. Gold. 7.	Date of Amortisation 8.	Bank of Issue. 9.
		Per cent	Per cent.					
Unified Debt	14/9/1903-8-21/6/1906	4	0·464	42,275,772	36,799,840	1,887,375	—	—
Lots turcs	5/1/1870	—	—	15,632,548	10,666,975	270,000	—	—
Osmanié	18-30/4/1890	4	1·	4,999,500	2,952,400	249,975	1931	Imperial Ottoman Bank.
Tombac priority	26/4-8/5/1893	4	1·	1,000,000	664,510	50.250	1954	Imperial Ottoman Bank.
40,000,000 fr. (Oriental Railways)	1/3/1894	4	0·35	1,760,000	1,567,192	76,751	1957	Deutsche Bank and its group, including International Bank and two French banks.
5 per cent., 1896	29/2-12/3/1896	5	0·50	3,272,720	2,814,020	180,450	1946	Imperial Ottoman Bank.
Customs, 1902	17-29/5/1886-28/9-11/10/1902.	4	0·50	8,600,020	7,923,234	38[illegible],976	1958	Imperial Ottoman Bank.
4 per cent., 1903 (Fisheries)	3/10/1888-21/2-6/3/1903	4	0·50	2,640,000	2,439,228	119,097	1958	Deutsche Bank.
Bagdad, series I.	29/2-5/3/1903	4	0·087538	2,376.000	2,342,252	97.120	2001	Deutsche Bank.
4 per cent., 1904	4-17/9/1903	4	0·50	2,750,000	2,594,064	124,059	1960	Imperial Ottoman Bank.
4 per cent., 1901-1905	21/11 - 4/12/1901 - 6/11/1903-25/4-8/5/1905.	4	0·50	5,306,664	4,976,422	239,397	1961	Imperial Ottoman Bank.
Tedjhizat, Askérié	4-17/4/1905	4	0·50	2,640,000	2,441,340	119,097	1961	Deutsche Bank.
Bagdad, Series II.	20/5-2/6/1908	4	0·087538	4,752,000	4,718,120	200,500	2006	Deutsche Bank.
Bagdad, Series III.	20/5-2/6/1908	4	0·087538	5,236,000	5,221,700	220,550	2010	Deutsche Bank.
4 per cent., 1908	6-19/9/1908	4	0·50	4,711.124	4,538,908	212.000	1965	Imperial Ottoman Bank.
4 per cent., 1909	30/9-13/10/1909	4	1·	7,000,004	6,550,698	350,864	1950	Imperial Ottoman Bank.
Soma-Panderma	20/11-3/12/1910	4	0·16715	1,712,304	1,700,644	71,532	1992	Imperial Ottoman Bank.
Hodeïda-Sanaa	24/2-9/3/1911	4	0·098738	1,000,010	1,000,010	40,988	2006	Bank Française.
Customs, 1911	27/10-9/11/1910	4	1·	7,040,000	6,699,880	352,440	1952	Deutsche Bank and its group
Plain of Koniah irrigation	5-18/11/1913	—	—	818,970	818,970	50,006	1932	—
Docks, Arsenals and Naval Constructions.	19/11-2/12/1913	5½	1·50	1,485,000	1.485,000	88,550	1943	—
5 per cent., 1914	13-26/4/1914	5	0·50	22.000,000	22,000,000	1,213,055	(1962)	Imperial Ottoman Bank.
Avances Régie des Tabacs.	4/8/1913	—	—	1,700,000	890,039	110,000	—	—
Treasury Bonds, 5 per cent., 1911 (Purchase of Warships).	13/7/1911	5	variable (average 20·0)	1,779,569	931,040	186,208	1916*	National Bank of Turkey.
Treasury Bonds, Imperial Ottoman Bank, 1912.	8-21/11/1912	6	33·333	3,000,008	1,063,664	1,000,003	1915*	Imperial Ottoman Bank.
Treasury Bonds, Périer & Co., 1913	19/1-1/2/1913	5	20·	4 400,000	3,300,000	1,100,000	1918*	Périer & Co.
TOTAL				159,888,213	139,100,150	8,998,213		

* *See* Article 52.

NOTE EXPLICATIVE DE L'ANNEXE I.

Les chiffres des colonnes 5, 6 et 7 sont exprimés en livres turques or.

La Turquie posséde actuellement une circulation de papier au lieu de sa circulation d'or d'avant-guerre. Aux présents taux de change, la livre turque papier est loin de représenter les taux d'avant-guerre de la livre turque or relativement à la monnaie dans laquelle les emprunts ont été émis et dans laquelle l'intérêt et l'amortissement doivent être payés en Europe conformément aux termes des contrats d'emprunts (voir article 1er du Décret annexe de Septembre 1903 et les contrats d'emprunt *passim*).

La définition de la livre turque-or, en ce cui concerne ces colonnes, ne signifie pas que les provisions pour les coupons et le fonds d'amortissement doivent être faites en or, mais que le chiffre en livres turques doit être calculé à un taux de change tel qu'il soit possible aux porteurs de se faire payer dans la monnaie à laquelle ils ont droit, et que les calculs ont été faits en supposant qu'une ou plusieurs des monnaies, dans lesquelles le porteur d'emprunt peut demander le paiement, sont au pair de l'or.

ANNEXE II.

PROJET DE QUESTIONS A SOUMETTRE A LA COUR PERMANENTE DE JUSTICE INTERNATIONALE DE LA HAYE.

Aux termes de l'article 45 (Clauses financières) du Traité de Paix signé à Lausanne le............ 19.......

> “ Les Etats de la Péninsule balkanique, les îles visées, à l'article 15 du présent Traité, et les Etats nouvellement créés en Asie, en faveur

NOTE EXPLANATORY OF ANNEX I.

The figures in columns 5, 6 and 7 are £T. gold.

Turkey now possesses a paper currency in place of a pre-war gold currency. At present rates of exchange the £T. paper no longer represents the pre-war ratio of the £T. gold to the currency in which the loans were subscribed, and in which the interest and the amortisation payments have to be paid in Europe according to the contract terms of the loans. (*See* Article 1 of the "Décret-Annexe" of September, 1903, and the Loan Contracts, *passim.*)

The fact that the figures are given in £T. gold in these columns does not signify that the provisions for the coupons and sinking funds are to be made in gold, but that the figure in £T. has to be calculated according to such rate of exchange as will enable the bondholder to be paid in the currency to which he is entitled, and that the calculations have been made on the assumption that one or more of the currencies in which the bondholder can claim payment stands at gold par.

ANNEX II.

QUESTIONS TO BE SUBMITTED TO THE PERMANENT COURT OF INTERNATIONAL JUSTICE AT THE HAGUE.

By Article 45 of the Treaty with Turkey signed at Lausanne on ...., it is provided that

> "The States of the Balkan Peninsular, the islands referred to in Article 15 of the present Treaty and the newly created States in Asia in favour of whom territory

“desquels un territoire a été détaché de la Turquie soit à la suite des guerres balkaniques en 1912-13 soit en vertu du présent Traité, devront participer, dans les conditions indiquées ci-dessous, aux charges annuelles afférentes au service de la Dette Publique Ottomane, telle qu'elle est définie dans le Tableau ci-annexé (voir Annexe I), sous reserve des dispositions contenues dans l'article 50.”

Dans ces conditions, il a été décidé de poser à la Cour Permanente de Justice Internationale de La Haye les questions suivantes :

Premèire question :

Doit-on inscrire dans le tableau de la Dette Publique Ottomane à répartir entre la Turquie et les Etats de la Péninsule Balkanique, les îles visées à l'article 15 du Traité signé à Lausanne, le......... et les Etats nouvellement créés en Asie, en faveur desquels un territoire a été détaché de la Turquie, les charges qui incombent ou incombaient à l'Empire ottoman du chef de la garantie kilométrique, dont jouissent ou jouissaient certaines lignes de chemins de fer ?

Deuxième question :

Dans le cas où les charges relatives aux lignes jouissant d'une garantie kilométrique ne seraient pas admises à figurer parmi les dettes à répartir, les charges relatives aux lignes de chemin de fer de Bagdad, de Soma-Panderma et de Hodéida-Sanaa, doivent-elles être éliminées du Tableau de la Dette à répartir ?

SECTION II.*

REPARATIONS.

Article 57.

Entre la Turquie et les autres Puissances Contractantes (à l'exception de la Grèce), les revendications des ressortissants

has been detached from Turkey either after the Balkan Wars of 1912-1913 or under the present Treaty shall participate under the conditions laid down in this Part in the annual charge for the service of the Ottoman Public Debt as defined in the Table annexed to this Part (*see* Annex I), subject to the provisions of Article 50.”

Accordingly it has been decided to put to the Permanent Court of International Justice at The Hague the following questions :—

First Question :

Should there be included in the Table of the Ottoman Public Debt to be distributed between Turkey and the States of the Balkan Peninsula and the islands referred to in Article 15 of the Peace Treaty signed at Lausanne on the ...., and the newly created States in Asia in favour of which territory has been detached from Turkey the payments for which the Turkish Empire is or was liable on account of the kilometric guarantees to which certain railways are entitled ?

Second Question :

If the payments in connection with the railways entitled to kilometric guarantees are not included in the Debt to be distributed, should there be removed from the table of the Debt to be included the payments in connection with the Bagdad, Soma-Panderma and Hodeida-Sanaa railways?

SECTION II.*

REPARATION.

Article 57.

As between Turkey and the other Contracting Powers (with the exception of Greece) the claims of nationals of the said desdites Puissances contre le Gouvernement turc pour les pertes et dommages subis par eux pendant la période comprise entre le 1er Août 1914 et la mise en vigueur du présent Traité et les revendications de même nature des ressortissants turcs contre les Gouvernements desdites Puissances seront compensées, moyennant le paiement d'une soulte de Ltq. 15,000,000* or qui sera versée par le Gouvernement turc auxdits Gouvernements. Les modalités de ce versement sont définies par les dispositions ci-dessous.

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* This Section was to be entirely recast in accordance with the final offer made to the Turkish Delegation, under which the Allied claims for reparation were to be abandoned. *See* page 832, paragraph 3.

Ledit versement réglera définitivement les réclamations pécuniaires que les Hautes Parties Contractantes ont à formuler les unes contre les autres relativement à des faits survenus entre le 1er Août 1914 et la mise en vigueur du présent Traité, y compris les réclamations qui, bien qu'intéressant primitivement les ressortissants respectifs des Parties, impliqueraient ultérieurement un paiement direct ou indirect d'un Gouvernement au profit d'un autre Gouvernement.

Article 58.**

La Grèce et la Turquie renoncent réciproquement, l'une à l'égard de l'autre, à tout remboursement de dommages causés à leurs nationaux pendant la période visée à l'Article 57.

Article 59.

Pour s'acquitter des obligations qui lui incombent en vertu de l'Article 57, le Gouvernement turc versera au Conseil de la Dette Publique Ottomane 37 annuités de 900,000† livres turques or, représentant chacune l'intérêt calculé à 5% et l'amortissement calculé à 1% de la somme de 15 millions de Ltq. or. La première annuité viendra à échéance le 1er Mars 1924.

Powers against the Turkish Government for loss and damage suffered by them between the 1st August, 1914, and the coming into force of the present Treaty and the similar claims of Turkish subjects against the said Government shall be deemed to be finally settled by the payment of a balance of 15* million pounds Turkish gold which shall be made by the Turkish Government to the aforesaid Governments. This payment shall be made in the manner laid down in the following provisions.

The said payment shall form a final settlement of all pecuniary claims on the one side or the other arising out of events which occurred between the 1st August, 1914, and the coming into force of the present Treaty, including claims which, although primarily between nationals, ultimately involve a direct or indirect payment from government to government.

Article 58.**

Greece and Turkey mutually renounce all claims to payment for damage caused to their nationals between the dates referred to in Article 57.

Article 59.

In discharge of the obligations incumbent upon it in accordance with Article 57 the Turkish Government shall pay to the Council of the Ottoman Public Debt 37 annuities of 900,000† pounds Turkish gold representing the interest at 5 per cent. and sinking fund at 1 per cent. upon the sum of 15,000,000 pounds Turkish gold. The first annuity shall be payable on the 1st March, 1924.

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* Subsequently reduced to 12 million, and then to nil; *see* page 833, paragraph 3.

** Subsequently altered at the Turkish request; *see* page 833, paragraph 4, and, for later developments, pages 845, 846, 851 and 852.

† Subsequently reduced to 720,000, and then to nil; *see* page 833, paragraph 3.

Article 60.

Le Gouvernement Turc devra affecter irrévocablement au Conseil de la Dette Publique Ottomane des gages suffisants pour garantir le paiement des annuités mises à sa charge. Ces gages seront gérés par le Conseil de la Dette Publique Ottomane. Les revenus donnés en gage devront être agréés par le Conseil de la Dette et avoir produit pendant chacune des deux années précédant leur affectation, une somme supérieure d'au moins 15% au montant des annuités à garantir.

Le Gouvernement Turc s'engage, dans le cas où le produit des revenus visés à l'alinéa précédent deviendrait insuffisant, à combler le déficit en procédant à de nouvelles affectations de recettes.

*Les revenus donnés en gage devront comprendre dans tous les cas le produit des concessions existantes ou à créer.

*Le Gouvernement turc devra, avant leur promulgation, demander l'avis du Conseil de la Dette sur tous les contrats de nouvelles concessions ou de prorogation de concessions, à accorder à des ressortissants ottomans ou de tous autres.

*Afin de permettre au Conseil de la Dette de remplir sa mission en toute connaissance de cause, le Gouvernement turc devra donner au Conseil et à son représentant toutes les facilités nécessaires pour l'accomplissement de sa mission auprès des administrations intéressées.

Article 61.

Le Conseil de la Dette s'entendra avec le Gouvernement Turc pour la création de titres au porteur, représentant un montant nominal de 15† millions de livres turques or, qui porteront la signature du Gouvernement Turc et dont le service sera assuré par les annuités précitées.

Article 60.

The Turkish Government shall irrevocably assign to the Council of the Ottoman Public Debt sufficient revenues to ensure the payment of the annuities for which it is liable. These revenues shall be administered by the Council of the Debt. The revenues assigned as guarantee must be accepted by the Council of the Debt and must have produced during each of the two years preceding their assignment an amount greater by at least 15 per cent. than the annuities to be guaranteed.

The Turkish Government undertakes in the event of the revenues referred to in the preceding paragraph proving insufficient to meet the deficit by assigning new revenues.

*The assigned revenues shall include the proceeds of existing or future concessions.

*The Turkish Government will submit to the Council of the Debt for their advice, before promulgation, all new concession contracts or prolongations of existing concessions, whether in favour of Turkish subjects or any other persons.

*In order that the Council may fulfil its task with full knowledge of the circumstances, the Turkish Government will give all facilities which may be desired to any such persons as the Council may nominate to represent it before the competent Government Departments.

Article 61.

The Council of the Debt shall concert with the Turkish Government for the issue of bearer bonds of the nominal value of 15† million gold Turkish pounds bearing the signature of the Turkish Government, the service of which shall be met by the annuities referred to above.

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* Subsequently omitted; *see* page 833, paragraph 5.

† Subsequently reduced to 12, and then to nil; *see* page 833, paragraph 3.

Ces titres seront appelés " Bons de Liquidation " ; leur forme et leur montant seront arrêtés par le Conseil de la Dette.

Les Bons de Liquidation seront exempts de toutes taxes et de tous impôts établis ou à établir en Turquie.

Article 62.

Les Bons de Liquidation seront remis par le Conseil de la Dette aux Gouvernements intéressés ou à telle autorité qui sera désignée par eux pour être distribués aux ayants-droit.

Article 63.

Le Conseil de la Dette fera le service de l'intérêt et de l'amortissement des Bons de Liquidation. L'amortissement aura lieu par tirage au sort, conformément à un tableau établi par le Conseil de la Dette.

Les dépenses relatives à l'émission et au service des Bons de Liquidation seront supportées par le Gouvernement turc et payées sur le produit des gages affectés à la garantie des bons. Elles auront sur ces gages un privilège de premier rang.

Article 64.

Le Gouvernement turc aura à toute époque le droit de rembourser au pair la totalité ou une partie des bons restant en circulation.

Le Gouvernement turc aura également le droit de racheter aux porteurs les bons à telles conditions qui pourront être convenues entre eux et le Gouvernement.

Les bons ainsi rachetés devront être présentés pour annulation au Conseil de la Dette et les annuités à verser par le Gouvernement turc seront réduites en conséquence.

These bonds shall be entitled " Liquidation Bonds," and shall be in the form and denominations laid down by the Council of the Debt.

The Liquidation Bonds shall be free of all taxes and charges established or to be established in Turkey.

Article 62.

The Liquidation Bonds shall be delivered by the Council of the Debt to the Governments concerned or to such authority as may be nominated by them, in order that the Bonds may be distributed to those entitled thereto.

Article 63.

The Council of the Debt shall undertake the service of the interest and sinking fund of the Liquidation Bonds. The Bonds to be amortised shall be drawn by lot in accordance with a table drawn up by the Council of the Debt.

The expenses in connection with the issue and service of the Liquidation Bonds shall be borne by the Turkish Government and met from the proceeds of the revenues assigned to the Bonds. They shall form a first charge upon such revenues.

Article 64.

The Turkish Government shall be entitled at any time to repay at par the whole or a part of the Bonds outstanding.

The Turkish Government shall also be entitled to purchase bonds from the holders upon conditions to be agreed upon between such holders and the Turkish Government.

The Bonds so purchased shall be presented to the Council of the Debt for cancellation and the annuities payable by the Turkish Government shall be proportionately reduced.

SECTION 3.

CLAUSES DIVERSES.

Article 65.

Les Etats en faveur desquels un territoire a été détaché de la Turquie, acquerront gratuitement tous biens et propriétés situés dans ce territoire et enregistrés au nom de l'Empire Ottoman et de la Liste Civile.

Article 66.

Les bénéficiaires de pensions civiles et militaires turques devenus, en vertu du présent Traité, ressortissants d'un Etat autre que la Turquie, ne pourront exercer du chef de leurs pensions aucun recours contre le Gouvernement turc.

Article 67.

La Turquie reconnaît le transfert de toutes les créances que l'Allemagne, l'Autriche, la Bulgarie et la Hongrie possédent contre elle, conformément à l'article 261 du Traité de Paix conclu à Versailles le 28 juin 1919 avec l'Allemagne et aux articles correspondants des Traités de Paix du 10 septembre 1919 avec l'Autriche, du 27 novembre 1919 avec la Bulgarie et du 4 juin 1920 avec la Hongrie

Les autres Puissances Contractantes conviennent de ne demander aucun paiement à la Turquie sur les créances qui leur sont ainsi transférées.

Les créances que la Turquie posséde contre l'Allemagne, l'Autriche, la Bulgarie et la Hongrie sont également transférées auxdites Puissances Contractantes.

Article 68.

Le Gouvernement turc, d'accord avec les autres Puissances Contractantes, déclare libérer le Gouvernement allemand des obligations contractées par celui-

SECTION III.

MISCELLANEOUS CLAUSES.

Article 65.

States in whose favour territory is detached from Turkey shall acquire without payment all property and possessions situated therein belonging to or registered in the name of the Turkish Empire or of the Civil List.

Article 66.

The recipients of Turkish civil and military pensions who acquire under the present Treaty the nationality of a State other than Turkey shall have no claim against the Turkish Government in respect of their pensions.

Article 67.

Turkey recognises the transfer to the Allied Powers of any claims to payment or repayment which Germany, Austria, Bulgaria or Hungary may have against her, in accordance with Article 261 of the Treaty of Peace concluded at Versailles on the 28th June, 1919, with Germany, and the corresponding Articles of the Treaties of Peace of 10th September, 1919, with Austria, of 27th November, 1919, with Bulgaria, and of 4th June, 1920, with Hungary.

The other Contracting Powers agree not to require from Turkey any payment in respect of claims so transferred.

The claims which Turkey has against Germany, Austria, Bulgaria and Hungary are also transferred to the aforesaid Contracting Powers.

Article 68.

The Turkish Government, in agreement with the other Contracting Powers, hereby releases the German Government from the obligation incurred by it ci pendant la guerre d'accepter des billets émis par le Gouvernement turc à un taux de change déterminé, en paiement de marchandises à exporter d'Allemagne en Turquie après la guerre.

Article 69.*

Les sommes en or transférées par l'Allemagne et l'Autriche en vertu de l'article 259—1° du Traité de Paix du 28 juin 1919 avec l'Allemagne et de l'article 210-1° du Traité de Paix du 10 septembre 1919 avec l'Autriche, seront remises à la Turquie, sous la seule réserve de servir de garantie supplémentaire au paiement des cinq premières annuités dues en vertu de la Section 2 de la présente Partie et aux conditions suivantes:

Si le paiement de ces annuités a lieu à l'échéance, une somme en or équivalente à la somme versée par le Gouvernement turc sera mise immédiatement à la disposition de ce Gouvernement. Après le paiement de la cinquième annuité, le Gouvernement turc recevra le solde des sommes en or visées par l'alinéa précédent.

Si, pour une raison quelconque, les annuitiés dues par la Turquie aux autres Puissances Contractantes n'étaient pas payées à l'échéance ou n'étaient payées qu'incomplètement, lesdites sommes en or seraient immédiatement employées au règlement de ces annuités.

Sont annulées toutes obligations de paiement mises à la charge du Conseil d'Administration de la Dette Publique Ottomane tant par la Convention du 20 juin 1331 (3 juillet 1915) relative aux bons de monnaie turcs de la première émission, que par le texte porté au verso de ces bons, le Gouvernement turc demeurant responsable vis-à-vis des porteurs de ces mêmes bons.

during the war to accept Turkish Government currency notes at a specified rate of exchange in payment of goods to be exported to Turkey from Germany after the war.

Article 69.*

The sums of gold transferred by Germany and Austria in accordance with Article 259 (1) of the Treaty of Peace of 28th June, 1919, with Germany and Article 210 (1) of the Treaty of Peace of 10th September, 1919, with Austria shall be delivered to Turkey subject only to their being employed as an additional guarantee for the payment of the five first annuities due in accordance with Section II of the present Part and to the following conditions.

If these annuities are paid at their due date, an amount of gold equivalent to the amount paid by the Turkish Government shall be forthwith placed at the disposal of that Government. After the payment of the fifth annuity the Turkish Government shall receive the balance of the sums of gold referred to in the preceding paragraph.

If for any reason the annuities due by Turkey to the other Contracting Powers are not paid on their due date or are only paid to a partial extent the aforesaid sums of gold shall be forthwith utilised in order to make up the total of the annuities.

The Council of the Administration of the Ottoman Public Debt is hereby absolved from all obligations to make any payments incumbent on it under the Convention of the 20th June, 1331 (the 3rd July, 1915), on the subject of the Turkish paper money of the first issue or under the words inscribed on the back of the Bonds, the Turkish Government remaining responsible to the holders of the said Bonds.

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* Subsequently revised in accordance with the final offer made to the Turkish Delegation *see* page 833, paragraph 3.

Article 70.

Le Gouvernement turc confirme la validité et assurera l'execution de tous contrats et règlements intervenus antérieurement au 1er novembre 1922 entre le Gouvernement de l'ancien Empire Ottoman d'une part, et le Conseil d'Administration de la Dette Publique Ottomane, les ressortissants des autres Puissances Contractantes et les Sociétiés ottomanes, où les intérêts de ces derniers sont prépondérants, d'autre part; il en sera ainsi sépcialement des contrats et réglements relatifs aux avances consenties au Gouvernement de l'ancien Empire Ottoman, aux répartitions de bénéfices convenues avec ce dernier et au service de la Dette Publique Ottomane.

PARTIE III.

CLAUSES ECONOMIQUES.

Article 71.

Dans la présente Partie, l'expression "Puissances alliées" s'entend des Puissances contractantes autres que la Turquie; les termes "ressortissants alliés" comprennent les personnes physiques, les sociétés, associations et établissements, ressortissant aux Puissances contractantes autres que la Turquie, ou à un Etat ou territoire sous le protectorat d'une desdites Puissances.

Les dispositions de la présente Partie relatives auxdits "ressortissants alliés," s'appliqueront également aux protégés des Puissances ci-dessus visées, dont la patente de protection est antérieure au 1er août 1914, si pendant la guerre ils ont subi des dommages du fait de la protection dont ils jouissaient.

Article 70.

The Turkish Government confirms the validity and will ensure the execution of all contracts and settlements concluded before the 1st November, 1922, between the Government of the former Turkish Empire on the one hand and the Council of the Administration of the Ottoman Public Debt, nationals of the other Contracting Powers, and the Turkish Companies in which such nationals hold a preponderating interest, on the other hand; in particular this provision shall apply to contracts and settlements in connection with the advances made to the Government of the former Turkish Empire, with distribution of receipts by this Government and with the service of the Ottoman Public Debt.

PART III.

ECONOMIC CLAUSES.

Article 71.

In this Part, the expression "Allied Powers" means the Contracting Powers other than Turkey.

The term "Allied nationals" includes physical persons, companies and associations of the Contracting Powers other than Turkey, or of a state or territory under the protection of one of the said Powers.

The provisions of this part relating to the said Allied nationals apply equally to persons under the protection of the said Powers mentioned above, whose patent of protection is of earlier date than the 1st August, 1914, if during the war they suffered damage from the fact of the protection which they enjoyed.

SECTION I.

BIENS, DROITS ET INTERETS.

Article 72.

Les biens, droits et intérêts existant encore ou qui pourront être identifiés sur un territoire qui se trouvait placé sous la souveraineté ottomane à la date du 1er Août 1914 et qui demeurera sous la souveraineté turque à la date du présent Traité, appartenant à des ressortissants alliés, lesquels n'étaient pas, pendant la guerre, ressortissants ottomans, ou à des sociétés dans lesquelles les intérêts alliés sont prépondérants, seront immédiatement restitués aux ayants-droit.

Il en sera de même pour les biens, droits et intérêts turcs existant encore ou qui peuvent être identifiés sur un territoire qui se trouvait placé sous la souveraineté des Puissances alliées à la date du 1er Août 1914.

Les Gouvernements des Hautes Parties Contractantes prendront toutes les mesures en leur pouvoir pour remettre, par une prompte procédure administrative, le propriétaire en possession de son bien, libre de toutes charges ou servitudes dont il aurait été grevé sans l'autorisation du propriétaire et indemniser tout tiers lésé par la restitution.

A cet effet, toutes les mesures exceptionnelles de guerre ou mesures de disposition prises par les Hautes Parties Contractantes à l'égard des biens, droits et intérêts ennemis seront immédiatement levées ou arrêtées lorsque la liquidation n'en aura pas été terminée et les réclamations des propriétaires recevront satisfaction par la restitution immédiate de leurs biens dès que ces biens auront été identifiés.

Tous litiges relatifs à l'identité des biens réclamés ou à leur restitution seront soumis au Tribunal arbitral mixte institué par la Section 6 de la présente Partie.

SECTION I.

PROPERTY, RIGHTS AND INTERESTS.

Article 72.

The property, rights and interests still existing or which can be identified in territory which was under Ottoman sovereignty on the 1st August, 1914, and which remains under Turkish sovereignty at the date of the present Treaty, belonging to Allied nationals, who were not during the war Ottoman nationals, or to companies in which Allied interests are preponderent shall be immediately restored to the owners.

The same provision shall apply as regards Turkish property, rights and interests still existing or which can be identified in territory under the sovereignty of the Allied Powers on the 1st August, 1914.

The Governments of the High Contracting Parties will take all steps in their power to restore the owner, by a prompt administrative procedure, to the possession of his property, free from all encumbrances, or burdens, with which it may have been charged without his assent. They shall compensate all third parties injured by the restitution.

With this object all exceptional war measures or measures of transfer taken by the High Contracting Parties with respect to enemy property, rights and interests shall be immediately discontinued or stayed when liquidation has not been completed, and the claims of the owners shall be satisfied by the immediate restitution of their property as soon as this property has been identified.

All disputes relating to the identity of goods claimed or their restitution shall be submitted to a Mixed Arbitral Tribunal established by Section 6 of the present Part.

Article 73.

La Turquie facilitera, tant par des mesures administratives appropriées que par la livraison de tous documents y afférents, la recherche sur son territoire et la restitution des objets mobiliers de toute sorte, y compris espèces, titres et valeurs, enlevés, saisis ou séquestrés par ses armées et ses administrations, sur des territoires des autres Puissances contractantes, et qui se trouvent à présent sur le territoire de la Turquie et sur celui de ses alliés auxquels, en vertu de traités, de cessions ou d'attributions de quelque nature que ce soit, les objets ci-dessus auraient pu être transférés par la Turquie.

La recherche et la restitution s'effectueront aussi pour les objets susvisés, saisis ou séquestrés par les armées et administrations alliées de la Turquie sur un territoire des autres Puissances contractantes et qui auraient été attribués ou cédés en vertu de traités, ou de toute autre manière, à la Turquie ou à ses ressortissants.

Les requêtes afférentes à ces recherches et restitutions seront introduites auprès du Gouvernement turc par le Gouvernement intéressé dans un délai de six mois à dater de la mise en vigueur du présent Traité.

Article 74.

Les biens, droits et intérêts qui ont fait l'objet de mesures de disposition ou de mesures exceptionnelles quelconques de la part des autorités des Hautes Parties Contractantes et qui existent encore ou qui peuvent être identifiés sur un territoire placé sous la souveraineté ottomane à la date du 1er Août 1914, et détaché de la Turquie par le présent Traité, et qui appartiennent à des ressortissants des

Article 73.

Turkey will facilitate, both by appropriate administrative measures and by delivery of all documents relating thereto, the search on her territory for, and the restitution of, movable property of every kind including money, deeds, and securities taken away, seized or sequestrated by her armies and her administrations on the territories of the other Contracting Powers which are at present on Turkish territory or on that of her Allies, to whom by treaties, grants or privileges of any kind, the above poperty may have been transferred by Turkey.

The search and restitution will apply also as regards property of the nature referred to above which may have been seized or sequestrated by the armies or administrations of the Allies of Turkey on the territory of the other Contracting Powers and which may have been assigned or granted by treaties or in any other way to Turkey or to her nationals.

Requests relating to this search and restitution shall be made to the Turkish Government by the Government concerned within six months of the coming into force of the present Treaty.

Article 74.

The property, rights and interests which have been subjected to measures of transfer or to any exceptional measures by the authorities of the High Contracting Parties and which still exist, or can be identified, in territory under Ottoman Sovereignty on the 1st August, 1914, and detached from Turkey by the present Treaty, and which belong to nationals of the High Contracting Parties, including former Otto-

Hautes Parties Contractantes, y compris les anciens ressortissants ottomans acquérant de plein droit la nationalité d'une Puissance alliée ou d'un nouvel Etat, conformement aux dispositions du présent Traité, seront immédiatement restitués aux ayants-droit par les Gouvernements intéressés.

Cette obligation de restituer ne s'appliquera pas aux biens, droits et intérêts des ressortissants turcs, qui ont fait l'objet de mesures exceptionnelles de guerre ou actes de guerre de la part du Gouvernement ottoman, avant la date du 30 Octobre 1918.

Les Gouvernements des Hautes Parties Contractantes prendront toutes les mesures en leur pouvoir pour remettre, par une prompte procédure administrative, le propriétaire évincé en possession de son bien libre de toutes charges ou servitudes, dont il aurait été grevé sans l'autorisation dudit propriétaire.

A cet effet, toutes les mesures exceptionnelles de guerre, ou mesures de disposition prises par les Hautes Parties Contractantes à l'égard des biens, droits et intérêts ennemis, seront immédiatement levées ou arrêtées lorsque la liquidation n'en aura pas été terminée et les réclamations des propriétaires recevront satisfaction par la restitution immédiate de leurs biens dès que ces biens auront été identifiés.

Tous litiges relatifs à l'identité des biens réclamés ou à leur restitution seront soumis au Tribunal arbitral mixte institué par la Section 6 de la présente Partie.

Article 75.

Tout impôt ou taxe, ou surtaxe, qui, sans être perçu sur les ressortissants ottomans, leurs biens, droits et intérêts, aurait été perçu sur les personnes des ressortissants alliés, leurs biens, droits et intérêts, ainsi que tout impôt ou taxe de quelque nature

man nationals, acquiring *ipso facto* the nationality of an Allied Power or of a new State in accordance with the provisions of the present Treaty, shall be immediately restored to the owners by the Governments concerned.

This obligation to effect restoration will not apply to the property, rights and interests of Turkish nationals which have been subjected to exceptional war measures or acts of war by the Ottoman Government before the 30th October, 1918.

The Governments of the High Contracting Parties will take all steps in their power to replace by a prompt administrative procedure the displaced owner in possession of his property, free from all encumbrances or burdens with which it may have been charged without his assent.

With this object all exceptional war measures or measures of transfer taken by the High Contracting Parties with respect to enemy property, rights and interests, shall be immediately discontinued or stayed when liquidation has not been completed and the claims of the owners shall be satisfied by the immediate restitution of their property as soon as this property has been identified.

All disputes relating to the identity of goods claimed or their restitution shall be submitted to a Mixed Arbitral Tribunal established by Section 6 of the present Part.

ARTICLE 75.

Every charge or tax or sur-tax which, without having been collected, in respect of Ottoman nationals, their property, rights and interests shall have been collected in respect of the persons of Allied nationals, their property, rights and interests as well as

ou sous quelque dénomination que ce soit, qui aurait été perçu sur lesdites personnes, leurs biens, droits et intérêts ou leur activité économique contrairement au statut dont ils jouissaient en Turquie, au moment de la déclaration de la guerre, seront ristournés auxdits ressortissants ou à leurs ayants-droit pour toute la période où, aux termes du présent article, ils ont été indûment perçus.

Lesdits impôts ou taxes ne pourront être exigés des ressortissants alliés, ainsi que des sociétés alliées, qui ne les auraient pas acquittés au cours de la période de guerre et jusqu'à la mise en vigueur du présent Traité, non plus que tous impôts ou taxes dont lesdits ressortissants ou sociétés alliées auraient été exonérés par le Gouvernement impérial ottoman ou par les autorités occupantes des Puissances alliées sur le territoire turc.

Article 76.

Si les biens, droits et intérêts des ressortissants turcs qui se trouvaient situés, à la date du 1er Août 1914, sur le territoire des Puissances alliées ont subi des dommages ou préjudices du fait de mesures exceptionnelles de guerre, ou ont été légalement liquidés, et de ce fait ne sont pas restitués, le propriétaire aura droit à une indemnité équitable fixée à défaut d'accord par le Tribunal arbitral mixte institué par la Section 6 de la présente Partie.

Toutefois, aucune réclamation ne sera recevable, en ce qui concerne les biens restitués, pour les dommages résultant de mesures de gestion, surveillance, ou, en général, toutes mesures conservatoires, prises en conformité des lois et règlements du pays in-

every charge or tax of whatever nature or under whatever name which shall have been collected in respect of the said persons, their property, rights and interests or their economic activity contrary to the laws to which they were subject in Turkey at the time of the declaration of war, shall be returned to the said nationals or to the persons entitled for the whole of the period for which in accordance with the terms of the present Article they have been improperly collected.

Payment of the said charges or taxes shall not be exacted from Allied nationals or Allied companies who have not paid them during the period of the war and up to the coming into force of the present Treaty; nor shall payment be required of charges or taxes from which the said Allied nationals or companies may have been exempted by the Imperial Ottoman Government or the Occupying Authorities of the Allied Powers on Turkish territory.

Article 76.

If the property, rights and interests of Turkish nationals which were situated on the 1st August, 1914, on the territory of the Allied Powers have suffered damage or prejudice owing to the exceptional war measures or have been lawfully liquidated and for this reason have not been restored, the proprietor shall have the right to equitable compensation fixed, in default of agreement, by the Mixed Arbitral Tribunal established by Section 6 of the present part.

Nevertheless with regard to property restored no claim shall be considered in respect of damages arising from measures of management, supervision or generally all measures of preservation taken in accordance with the laws and regulations of

téressé, et, en ce qui concerne les biens liquidés, pour le fait de la liquidation, si du moins le produit de celle-ci a été équitablement obtenu.

Article 77.

Pour l'exécution des articles 72 à 76, les demandes et actions relatives aux restitutions ou indemnités devront être introduites auprès des autorités compétentes dans le délai de six mois et à défaut d'accord auprès du Tribunal artitral mixte dans le délai de 18 mois à partir de la mise en vigueur du présent Traité.

Article 78.

Les dispositions de la présente Section ne porteront point préjudice aux réclamations ou actions introduites auprès du Gouvernement ottoman avant le 1er août 1914 par les Gouvernements des autres Parties contractantes, ou leurs ressortissants au sujet de leurs biens, droits ou intérêts. Ces réclamations ou actions seront poursuivies dans les mêmes conditions auprès du Gouvernement turc.

Article 79.*

Si les biens, droits et intérêts des ressortissants alliés (à l'exclusion des ressortissants grecs) qui se trouvaient sur un territoire placé sous la souveraineté ottomane à la date du 1er août 1914 n'existent plus, ou ont subi des dommages résultant soit de faits de guerre, soit de mesures de réquisition, soit de mesures de séquestre, disposition ou confiscation, soit de tout acte ou décision préjudiciable, le propriétaire aura droit à une indemnité que les Puissances alliées lui accorderont sur les sommes prévues à cet effet à l'article 57 (Clauses financières) et conformément à la procédure fixée par elles

the country interested or, with regard to property liquidated, in respect of the fact of liquidation provided that the amount has been fairly obtained.

Article 77.

For the fulfilment of Articles 72 to 76 claims or proceedings relating to restitution or compensation must be begun before the competent authorities within six months, and in default of an agreement before the Mixed Arbitral Tribunal within 18 months from the coming into force of the present Treaty.

Article 78.

The provisions of this Section are not to prejudice claims or suits made against the Ottoman Government before the 1st August, 1914, by the Governments of the other contracting parties or their nationals with regard to their property, rights and interests. These claims or suits will be continued against the Turkish Government under the same conditions.

Article 79.*

If the property, rights and interests of Allied nationals (excluding Greek nationals) which were in territory under Ottoman sovereignty on the 1st August, 1914, no longer exist or have suffered damages resulting from acts of war, measures of requisition, measures of sequestration, transfer or confiscation or any harmful act or decision, the owner shall have the right to compensation which the Allied Powers will grant him out of the sums allocated for this object by Article 57 (Financial Clauses) and in accordance with procedure fixed by them.

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* Subsequently omitted ; *see* page 833, paragraph 3.

Article 80.

Le Gouvernement turc se déclare prêt à indemniser intégralement les Sociétés établies sous une autre loi que celle d'une Puissance alliée, mais où les intérêts alliés sont prépondérants tant pour les dommages résultant de tous actes de guerre, que des mesures de réquisitions, séquestre ou disposition et en genéral de tout acte ou omission du Gouvernement turc ayant entraîné pour lesdites sociétés une privation de jouissance ou un préjudice matériel.

Le Gouvernement turc pourra offrir auxdites sociétés, en remplacement de tout ou partie des indemnités qui leur sont dues, des avantages ou privilèges économiques de tous ordres.

Si un accord n'intervient pas dans un délai d'un an à partir de la mise en vigueur du présent Traité, entre le Gouvernement turc et lesdites sociétés, la question sera soumise à une commission de trois arbitres dont l'un sera désigné par le Gouvernement turc, le second par la société réclamante et le troisième d'accord entre les parties ou, à défaut d'accord par le Président de la Cour Permanente de Justice Internationale.

Les arbitres évalueront en espèces le montant des indemnités dues par le Gouvernement turc aux sociétés. Ils apprécieront, le cas échéant, si les avantages économiques proposés par le Gouvernement turc à la société et acceptés par elle constituent une réparation équitable de ces dommages. Les arbitres pourront fixer un solde en espèces à la charge du Gouvernement turc.

Les décisions de la Commission arbitrale seront souveraines et immédiatement exécutoires.

Article 80.

The Turkish Government declares that it is ready to compensate fully companies established under a law other than that of an Allied Power in which Allied interests are preponderant in respect of damages resulting from all acts of war and from measures of requisition, sequestration or transfer and in general every act or omission of the Turkish Government which has involved for the said companies loss of enjoyment of their property or material prejudice.

The Turkish Government may offer to the said companies in the place of the whole or part of the compensation which is due to them economic advantages or privileges of any kind.

If no agreement is come to within one year of the coming into force of the present Treaty between the Turkish Government and the said companies the question shall be submitted to a Commission of three arbitrators, of whom one shall be nominated by the Turkish Government, the second by the claimant company and the third by agreement between the parties, or in default of agreement by the President of the Permanent Court of International Justice.

The arbitrators shall value in money the amount of the compensation due by the Turkish Government to the companies. They shall take into consideration, if such should be the case, any economic advantages offered by the Turkish Government to the company and accepted by it constituting an equitable compensation for these damages. The arbitrators may fix a balance in cash to be paid by the Turkish Government.

The decisions of the Arbitral Commission shall be final and immediately executory.

Article 81.

Le Gouvernement turc et les Gouvernements des territoires détachés de la Turquie en vertu du présent Traité, procéderont, chacun dans leur territoire et si la demande en est faite dans les conditions fixées à l'alinéa suivant, à la liquidation des biens, droits et intérêts appartenant à l'Allemagne, à l'Autriche, à la Hongrie et à la Bulgarie, ou à leurs ressortissants à la date de la mise en vigueur du présent Traité.

Les biens, droits et intérêts à liquider seront désignés, en Turquie, par la Commission des Réparations établie par les Traités de paix conclus avec l'Allemagne, l'Autriche, la Hongrie et la Bulgarie. Ils seront désignés dans les territoires détachés de la Turquie par les gouvernements y exerçant l'autorité. Cette désignation devra intervenir dans le délai de six mois à dater de la mise en vigueur du présent Traité et la liquidation devra être effectuée dans le délai d'un an à dater de cette désignation.

Le produit des liquidations, qu'elles aient été déjà ou non effectuées, sera versé à la Commission des Réparations établie par le Traité de paix conclu avec l'Etat intéressé si les biens liquidés sont la propriété de l'Etat allemand, autrichien, hongrois ou bulgare. Il sera versé directement aux propriétaires si les biens liquidés sont une propriété privée.

Ne feront pas l'objet de la liquidation prévue au présent article, les biens, droits et intérêts à l'égard desquels il aura été fait usage des dispositions de l'article 260 du Traité de paix avec l'Allemagne et des articles correspondants des Traités de paix avec l'Autriche, la Hongrie et la Bulgarie.

Article 81.

The Turkish Government and the Governments of territories detached from Turkey in accordance with the present Treaty, will proceed each within their own territory, on request being made in accordance with the conditions set out in the following paragraph, to liquidate the property, rights and interests belonging to Germany, Austria, Hungary and Bulgaria, or their nationals at the date of the coming into force of the present Treaty.

The property, rights and interests to be liquidated will be notified in Turkey by the Reparation Commission established by the Treaties of Peace concluded with Germany, Austria, Hungary and Bulgaria. They will be notified in the territories detached from Turkey by the Governments exercising authority in those territories. This notification must be made within six months of the coming into force of the present Treaty and the liquidation must be effected within one year from the date of the notification.

The proceeds of the liquidations, whether they have already been effected or not, shall be paid to the Reparation Commission established by the Treaty of Peace concluded with the State concerned if the property liquidated is the property of the German, Austrian, Hungarian or Bulgarian Government. It shall be paid directly to the owners if the property liquidated is private property.

Property, rights and interests with regard to which steps have already been taken in accordance with the provisions of Article 260 of the Treaty of Peace with Germany and the corresponding Articles of the Treaties of Peace with Austria, Hungary and Bulgaria will not be subject to liquidation in accordance with the present Article.

SECTION II.

CONTRATS, PRESCRIPTIONS ET JUGEMENTS.

Article 82.

Restent en vigueur, sous réserve des dispositions qui y sont contenues ainsi que des stipulations du présent Traité, les contrats appartenant aux catégories indiquées ci-après, conclus entre parties devenues ennemies telles qu'elles sont définies à l'article 93 et antérieurement à la date indiquée audit article :

(*a*) Contrats ayant pour objets le transfert ou la livraison de biens immobiliers, lorsque ce transfert ou cette livraison ont ou lieu en fait avant la date ci-dessus mentionnée ;

(*b*) Baux, contrats de location et promesses de location ;

(*c*) Contrats relatifs à l'exploitation de mines, de forêts ou de domaines agricoles ;

(*d*) Contrats d'hypothèque, de gage et de nantissement ;

(*e*) Contrats constitutifs de sociétés, à moins que ces sociétés n'aient été dissoutes en vertu de la loi nationale de la Puissance alliée intéressée ;

(*f*) Contrats passés entre les particuliers ou sociétés et l'Etat, les provinces, municipalités ou autres personnes juridiques administratives analogues ;

(*g*) Contrats relatifs au statut familial ;

(*h*) Contrats relatifs à des donations ou à des libéralités de quelque nature que ce soit.

Le présent article ne pourra être invoqué pour donner validité à des contrats dont les dispositions ne seraient pas conformes aux lois du pays par lesquelles ils sont régis.

SECTION II.

CONTRACTS, PRESCRIPTIONS AND JUDGMENTS.

Article 82.

The following classes of contracts, entered into before the date mentioned in Article 93 between persons who became enemies, as defined in that Article, remain in force subject to the provisions of the contracts and to the conditions of the present Treaty :—

(*a*) Contracts having for their object the transfer or delivery of real property when the transfer or delivery had in fact taken place before the date mentioned above.

(*b*) Leases and agreements for leases of land and houses.

(*c*) Contracts relating to the exploitation of mines, forests or agricultural estates.

(*d*) Contracts of mortgage, pledge or lien.

(*e*) Contracts constituting companies, unless they have been dissolved in accordance with the national law of the Allied Powers concerned.

(*f*) Contracts entered into between individuals or companies and States, provinces, municipalities or other similar juridical persons charged with administrative functions.

(*g*) Contracts relating to the family status.

(*h*) Contracts relating to gifts and bounties of whatever kind.

The present Article shall not have the effect of giving validity to contracts the provisions of which are contrary to the law of the country to which they are subject.

Article 83.*

Les Contrats d'Assurance sont régis par les dispositions prévues à l'Annexe de la présente Section.

Article 84.*

Les contrats, autres que ceux énumérés aux articles 82 et 83, passés entre ennemis antérieurement à la date où les parties sont devenues ennemies, seront considérés comme ayant été annulés à partir de la même date.

Toutefois, dans le cas de marchés à livrer, si le fournisseur justifie avoir commencé, avant ladite date, l'exécution du contrat et subir du fait de son annulation un préjudice, il pourra réclamer, dans un délai de six mois à partir de la mise en vigueur du présent Traité, à l'autre partie une indemnité correspondant au préjudice subi et, à défaut d'accord, demander au Tribunal arbitral mixte prévu à la Section 6 de la présente Partie d'en fixer le montant.

Article 85.

Pour tous les contrats autres que ceux énumérés aux articles 82 et 83, chacune des parties au contrat pourra en réclamer l'exécution jusqu'à l'expiration d'un délai de six mois à partir de la mise en vigueur du présent Traité à la condition de verser à l'autre partie, s'il y a lieu, une indemnité correspondant à la différence entre les conditions du moment où le contrat a été conclu et celles du moment où son maintien est réclamé. Cette indemnité, à défaut d'accord entre les parties, sera fixé par le Tribunal arbitral mixte.

Article 86.

Est confirmée la validité de toutes transactions intervenues avant la mise en vigueur du présent Traité entre les parties

Article 83.*

Insurance contracts will be dealt with in accordance with the provisions of the annex to the present section.

Article 84.*

Contracts other than those set out in Articles 82 and 83 entered into between enemies before the date when they became enemies, will be deemed to have been dissolved from that date.

Nevertheless, in the case of goods to be delivered, if the contractor proves that he had begun the execution of the contract before the said date and has suffered loss from the fact of its cancellation, he will have the right to claim, within six months from the coming into force of the present Treaty, compensation from the other party to the extent of the loss suffered, and, in default of agreement, to have the amount fixed by the Mixed Arbitral Tribunal referred to in Section VI of this Part.

Article 85.

As regards all contracts other than those enumerated in Articles 82 and 83, either of the Parties to the contract can claim its performance within six months from the coming into force of the present Treaty on payment to the other party, if there is ground for it, of compensation based on the difference between conditions existing at the time the contract was entered into and those at the time when its maintenance is claimed. This compensation, in default of agreement between the parties, will be fixed by the Mixed Arbitral Tribunal.

Article 86.

The validity of all compromises entered into before the coming into force of the present Treaty between the parties to contracts aux contrats indiqués aux articles 82 à 85, et ayant pour objet notamment la résiliation, le maintien, les modalités d'exécution ou la modification de ces contrats, y compris les accords portant sur la monnaie de paiement ou sur le taux de change.

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* *See* note on page 732

Article 87.

Sont reconnus valables et soumis au droit commun les contrats entre ressortissants alliés et turcs, ainsi que les contrats entre ressortissants alliés et le Gouvernement Impérial Ottoman ou les autorités occupantes des Puissances alliées conclus postérieurement au 30 octobre 1918.

Pour l'application du présent article les Sociétés établies sous une loi autre que celle d'une Puissance alliée, mais où les intérêts alliés sont prépondérants, seront considérées comme ressortissants alliés.

Article 88.

Tous les différends, quels qu'ils soient, relatifs aux contrats conclus avant la mise en vigueur du présent Traité, entre les ressortissants turcs et les ressortissants alliés seront réglés par le Tribunal arbitral mixte, à l'exception toutefois des différends qui, par application des lois des Puissances neutres, seraient de la compétence des tribunaux nationaux de ces Puissances. Dans ce cas ces différends seront réglés par ces tribunaux nationaux à l'exclusion du Tribunal arbitral mixte.

Article 89.

Sur le territoire des Hautes Parties Contractantes, dans les rapports entre les ennemis, tous délais quelconques de prescription, de péremption ou forclusion de procédure, qu'ils aient commencé à courir avant le début de la guerre ou après, seront considérés comme ayant été sus-

referred to in Articles 82 to 85 with a view particularly to the cancellation, the maintenance, the methods of execution or the modification of these contracts, including agreements relating to the currency of payment or the rate of exchange, are confirmed

Article 87.

Contracts between Allied nationals and Turks, as well as contracts between Allied nationals and the Imperial Ottoman Government or the occupying authorities of the Allied Powers, entered into after the 30th of October, 1918, are recognised as valid and subject to the general law. For the purpose of the present Article, companies established under a law other than that of an Allied Power in which Allied interests are preponderant, shall be considered as Allied nationals.

Article 88.

All disputes, whatever they may be, relating to contracts entered into before the coming into force of the present Treaty, between Turkish nationals and Allied nationals will be determined by the Mixed Arbitral Tribunal, with the exception of disputes which, in accordance with the laws of neutral Powers are within the competence of the national tribunals of such Powers. In these cases the disputes will be settled by the national tribunals to the exclusion of the Mixed Arbitral Tribunal.

Article 89.

All periods of prescription or limitation of right of action, whether they began to run before or after the outbreak of war, shall be treated, in the territory of the High Contracting Parties so far as regards relations between enemies, as having been suspended from the 29th October, pendus depuis le 29 octobre 1914 jusqu'à l'expiration de trois mois après la mise en vigueur du présent Traité.

Cette disposition s'applique, notamment, aux délais stipulés dans les lois, règlements et décrets, relatifs à toutes concessions et permis de toute nature, ainsi qu'aux délais de présentation de coupons, d'intérêts et de dividendes, et de présentation, en vue de remboursement, des valeurs sorties au tirage ou remboursables à tout autre titre.

En raison des dispositions de la législation du Japon, le présent article, ainsi que l'article 83, ne s'applique pas aux contrats conclus par des ressortissants japonais avec des ressortissants turcs.

Article 90.

Dans les rapports entre ennemis, aucun effet de commerce passé avant la guerre ne sera considéré comme invalidé par le seul fait de n'avoir pas été présenté pour acceptation ou pour paiement dans les délais voulus, ni pour défaut d'avis aux tirours ou aux endosseurs, de non acceptation ou de non paiement, ni en raison du défaut de protêt, ni pour défaut d'accomplissement d'une formalité quelconque pendant la guerre.

Si la période pendant laquelle un effet de commerce aurait dû être présenté à l'acceptation ou au paiement, ou pendant laquelle l'avis de non acceptation ou de non paiement aurait dû être donné aux tireurs ou endosseurs, ou pendant laquelle il aurait dû être protesté, est échue pendant la guerre, et si la partie, qui aurait dû présenter ou protester l'effet ou donner avis de la non acceptation ou du non paiement, ne l'a pas fait pendant la guerre, il lui sera accordé au moins trois mois après la mise en vigueur du présent Traité pour présenter l'effet, donner avis de non accep-

1914, until the expiration of three months after the coming into force of the present Treaty. This provision applies, in particular, to periods prescribed in laws, regulations and decrees relating to concessions and licences of every kind, as well as to periods for the presentation of interest or dividend coupons, or for the presentation for payment of securities drawn for repayment, or repayable on any other ground.

Having regard to the provisions of the law of Japan, this Article and Article 83 do not apply to contracts between Japanese nationals and Turkish nationals.

Article 90.

As between enemies, no negotiable instrument made before the war shall be deemed to have become invalid by reason only of the failure within the required time to present the instrument for acceptance or payment, or to give notice of non-acceptance or non-payment to drawers or endorsers, or to protest the instrument, nor by reason of failure to complete any formality during the war.

When the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or endorsers, or within which the instrument should have been protested, has lapsed during the war, and the party who should have presented or protested the instrument, or have given notice of non-acceptance or non-payment, has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall tation ou de non paiement ou dresser protêt.

Article 91.*

Les jugements rendus ou les mesures d'exécution ordonnées pendant la guerre par une autorité judiciaire ou administrative ottomane quelconque qui, au 1er août 1914, était incompétente pour juger ou décider en ce qui concerne les droits d'une personne qui était alors ressortissante d'une Puissance alliée ou les droits d'une société dans laquelle les intérêts alliés étaient prépondérants seront sujets à revision, à la diligence de ce ressortissant ou de cette société, par le Tribunal arbitral mixte. En pareil cas, les parties seront, s'il est possible et équitable, replacées dans la situation ou elles se trouvaient avant le jugement rendu ou la mesure d'exécution ordonnée par l'autorité ottomane; sinon, le ressortissant d'une Puissance alliée, ou la société dans laquelle des intérêts alliés étaient prépondérants, qui aura subi un préjudice du fait du jugement ou de la mesure d'exécution, pourra obtenir telle réparation que le Tribunal arbitral mixte jugera équitable, cette réparation étant à la charge du Gouvernement turc.

Article 92.*

Sera considérée comme valable, en cas de non paiement, la vente d'un immeuble hypothéqué ou d'un gage constitué par contrats conclus avant la guerre, pour garantie d'une dette due par l'ennemi, alors même qu'avis n'a pu être donné au propriétaire, si le créancier a agi de bonne foi et en prenant les soins et précautions raisonnables. Dans ce cas, le propriétaire ne pourra formuler aucune réclamation en raison de la vente de l'immeuble hypothéqué ou du gage.

be allowed within which the presentation, notice of non-acceptance or non-payment, or protest may be made.

Article 91.*

Judgments given or measures of execution ordered during the war by any Ottoman judicial or administrative authority, which, on the 1st August, 1914, was not competent to exercise jurisdiction, with regard to the rights of a person who was then a national of an Allied Power, or the rights of a company in which Allied interests were preponderant, shall be subject to revision on the application of such national or society to the Mixed Arbitral Tribunal. In such case, the parties shall, if it is possible and equitable, be replaced in the situation which they occupied before the judgment was delivered or the measure of execution ordered by the Ottoman authorities. If not, the national of an Allied Power, or the company in which Allied interests were preponderant, which has suffered damage from the judgment or execution, shall obtain such compensation as the Mixed Arbitral Tribunal shall consider equitable. This compensation will be paid by the Turkish Government.

Article 92.*

The sale of real property mortgaged, or of a security held under contracts entered into before the war for an unpaid debt, owing by an enemy, shall be deemed to have been valid irrespective of notice to the owner if the creditor acted in good faith and with reasonable care and prudence. In this case no claim by the debtor, on the ground of the sale, shall be admitted.

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* *See* note on page 732.

Si, cependant, le créancier n'a pas agi de bonne foi et n'a pas pris les soins et précautions raisonnables, le Tribunal arbitral mixte pourra, sur recours du débiteur, condamner le créancier à indemniser ce dernier.

Article 93.

Au sens de la présente Section les personnes parties à un contrat seront considérées comme ennemies à partir de la date à laquelle le commerce entre elles sera devenu impossible en fait ou aura été interdit ou sera devenu illégal en vertu des lois, décrets ou règlements auxquels une de ces parties était soumise.

Toutefois, les dispositions prévues dans les articles 82 à 85, 89 et 90 ne s'appliquent pas aux contrats passés dans un pays ennemi, avec des ressortissants ennemis, par des ressortissants des Puissances alliées ou de la Turquie, ayant séjourné dans ce pays pendant la guerre et y ayant disposé librement de leur personne et de leurs biens. Ces contrats seront soumis au droit commun.

ANNEXE.*

I. Assurance sur la Vie.

§ 1.

Les contrats d'assurances sur la vie, passés entre un assureur et une personne devenue par la suite ennemie, ne seront pas considérés comme annulés par l'ouverture des hostilités ou par le fait que la personne est devenue ennemie.

Toute somme assurée devenue effectivement exigible pendant la guerre, aux termes d'un contrat qui, en vertu du paragraphe précédent, n'est pas considéré comme annulé, sera recouvrable après la guerre. Cette somme sera augmentée des intérêts à 5 p. 100 l'an depuis la date de son exigibilité jusqu'au jour du paiement.

If, however, the creditor has not acted in good faith and with reasonable care and prudence, the Mixed Arbitral Tribunal may, on the application of the debtor, fix the compensation to be paid to him by the creditor.

Article 93.

Within the meaning of the present Section, the parties to a contract shall be regarded as enemies from the date on which trading between them became impossible in fact, or was prohibited or otherwise became unlawful under laws, orders or regulations to which one of these parties was subject.

Nevertheless, the special provisions in Articles 82 to 85, 89 and 90 do not apply to contracts entered into in an enemy country with enemy nationals by nationals of Allied Powers or of Turkey having stayed in the country during the war and there freely disposed of their persons and their property. These contracts will be subject to the general law.

ANNEX.*

I. Life Assurance.

Paragraph 1.

Life assurance contracts entered into between an insurer and a person who subsequently became an enemy, shall not be deemed to have been dissolved by the outbreak of war or by the fact of the person becoming an enemy.

Every sum which, during the war, became due upon a contract deemed not to have been dissolved in accordance with the preceding paragraph, shall be recoverable after the war. This sum shall be increased by interest at 5 per cent. per annum from the date of its becoming due up to the day of payment.

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* The Inviting Powers subsequently offered to insert here a provision under which Articles 83, 84, 91, 92, 93 and this Annex might be revised by agreement within six months. *See* page 844.

Si le contrat est devenu caduc pendant la guerre par suite du non-paiement des primes, ou s'il est devenu sans effet par suite du non-accomplissement des clauses du contrat, l'assuré ou ses représentants ou ayants-droit auront le droit, à tout moment pendant douze mois à dater du jour de la mise en vigueur du présent Traité, de réclamerà l'assureur la valeur de rachat de la police au jour de sa caducité ou de son annulation, augmontée des intérêts à 5 p. 100 l'an.

Les ressortissants turcs dont les contrats d'assurance sur la vie, souscrits antérieurement au 29 octobre 1914, ont été annulés ou réduits, antérieurement au Traité, pour non-paiement des primes, conformément aux dispositions desdits contrats, auront la faculté pendant un délai de trois mois à compter de la mise en vigueur du présent Traité, et s'ils sont alors vivants, de rétablir leurs polices pour le plein du capital assuré. A cet effet, ils devront, après avoir passé devant le Docteur de la Compagnie une visite médicale jugée satisfaisante par cello-ci, verser les primes arriérées augmentées des intérêts composés à 5 p. 100.

§ 2.

Il est entendu que les contrats d'assurances sur la vie, souscrits en monnaie autre que la livre turque, conclus avant le 29 octobre 1914 entre les Sociétés d'une Puissance Alliés et les ressortissants turcs pour lesquels des primes ont été payées antérieurement et postérieurement à la date du 30 Mars 1915, ou même seulement avant cette date seront réglés ; 1° en arrêtant les droits de l'assuré, conformément aux conditions générales de la police, pour la période antérieure au 30 mars 1915 dans la monnaie stipulée au contrat telle qu'elle a cours dans le pays dont

If the contract has lapsed during the war, owing to non-payment of premiums, or has become void from breach of the conditions of the contract, the assured, or his representatives, or the persons entitled, shall have the right at any moment within 12 months from the coming into force of the present Treaty to claim from the insurer the surrender value of the policy at the date of its lapse or avoidance, together with interest at 5 per cent. per annum.

Turkish nationals whose life insurance contracts entered into before 29th October, 1914, have been cancelled or reduced before the Treaty, for non-payment of premiums in accordance with the provisions of the said contracts, shall have the right, within three months from the coming into force of the present Treaty, if they are still alive, to restore their policies for the whole of the amount assured. For this purpose they must, after having passed a medical examination before the doctor of the company, which the company considers satisfactory, pay the premiums in arrear with interest at 5 per cent.

Paragraph 2.

It is understood that life assurance contracts in money other than the Turkish pound, entered into before the 29th October, 1914, between companies of an Allied Power and Turkish nationals, in respect of which the premiums have been paid before and after the 30th March, 1915, or even only before that date, shall be regulated, first, in determining the rights of the assured in accordance with the general conditions of the policy for the period before the 30th March, 1915, in the money stipulated in the contract at the current rate in its country of

cette monnaie émane (par exemple, toute somme stipulée en francs, en francs or, ou en francs effectifs sera payée en francs français) ; 2° en livres turques papier—la livre turque étant censée valoir le pair d'avant-guerre—pour la période postérieure au 30 mars 1915.

Si les ressortissants turcs dont les contrats sont conclus dans une monnaie autre que la monnaie turque, justifient avoir continué depuis le 30 mars 1915 à acquitter leurs primes en la monnaie stipulée aux contrats, lesdits contrats seront réglés dans cette même monnaie, telle qu'elle a cours dans le pays dont elle émane, même pour la période postérieure au 30 mars 1915.

Les ressortissants turcs dont les contrats, conclus avant le 29 octobre 1914 dans une monnaie autre que la monnaie turque, avec des sociétés de nationalité d'une Puissance alliée, sont, par suite du paiement des primes, encore en vigueur, auront la faculté pendant un délai de trois mois, à compter de la mise en vigueur du présent Traité, de rétablir leurs polices pour le plein du capital dans la monnaie stipulée dans leur contrat telle qu'elle a cours dans le pays dont elle émane. A cet effet, ils devront verser en cette monnaie les primes échues depuis le 30 mars 1915. Par contre, les primes effectivement versées par eux en livres turques papier depuis ladite date leur seront remboursées dans la même monnaie.

§ 3.

En ce qui concerne les assurances contractées en livres turques, le réglement sera fait en livres turques papier.

§ 4.

Les dispositions des paragraphes 2 et 3 ne seront pas applicables aux assurés qui, par

origin (for example, every amount stipulated in francs, in gold francs or in "francs effectifs" will be paid in French francs), secondly, in Turkish paper pounds—the Turkish pound being estimated at the pre-war par value—for the period after the 30th March, 1915.

If Turkish nationals whose contracts were entered into in currency other than Turkish currency, show that they have continued to pay their premiums since the 30th March, 1915, in the money stipulated in the contracts, the said contracts shall be settled in the same currency at the current rate in its country of origin, even for the period after the 30th March, 1915.

Turkish nationals whose contracts, entered into before the 29th October, 1914, in currency other than Turkish currency with companies of the nationality of an Allied Power are, owing to payment of premiums, still in force, shall have the right within three months after the coming into force of the present Treaty to restore their policies for the full amount, in the currency stipulated in their contract, at the current rate in its country of origin. For this purpose they must pay in this currency the premiums which have become due since the 30th March, 1915. On the other hand, the premiums actually paid by them in Turkish paper pounds since that date will be repaid to them in the same money.

Paragraph 3.

As regards insurances in Turkish pounds, settlement shall be made in Turkish paper pounds.

Paragraph 4.

The provisions of paragraphs 2 and 3 do not apply to policy holders who, by an express agree-une convention expresse, auront déjà régularisé avec la société d'assurance la valorisation de leurs polices et le mode de paiement de leurs primes, ni à ceux dont les policies seront définitivement réglées à la date de la mise en vigueur du présent Traité.

§ 5.

Pour l'application des paragraphes précédents seront considérés comme contrats d'assurances sur la vie les contrats d'assurances qui se basent sur les probabilités de la vie humaine combinée avec le taux d'intérêt pour le calcul des engagements réciproques des deux parties.

II. ASSURANCES MARITIMES.

§ 6.

Ne sont pas considérés comme annulés, sous réserve des dispositions qui y sont contenues, les contrats d'assurances maritimes au cas où le risque avait commencé à courir avant que les parties fussent devenues ennemies et a la condition qu'il ne s'agisse pas de couvrir des sinistros résultant d'actes de guerre accomplis par la Puissance à laquelle ressortit l'assureur ou par les Alliés de cette Puissance.

III. ASSURANCE INCENDIE ET AUTRES ASSURANCES.

§ 7.

Ne sont pas considérés comme annulés, sous la réserve énoncée au paragraphe précédent, les contrats d'assurances contre l'incendie ainsi que tous autres contrats d'assurances.

SECTION 3.

CONCESSIONS.

Article 94.

Les ressortissants alliés, bénéficiaires de concessions accordées avant le 29 octobre 1914

ment, have already settled with the insurance companies the fixation of the value of their policies and the method of payment of their premiums, nor to those whose policies have been finally settled at the date of the coming into force of the present Treaty.

Paragraph 5.

For the purposes of the preceding paragraphs, insurance contracts shall be considered as contracts of life insurance when they depend on the probabilities of human life, combined with the rate of interest, for the calculation of the reciprocal engagement between the two parties.

II. MARINE INSURANCE.

Paragraph 6.

Subject to the provisions therein contained, contracts of marine insurance will not be deemed to have been dissolved where the risk had attached before the parties became enemies, subject to the condition that the policy shall not be deemed to cover losses due to belligerent action by the Power of which the insurer was a national or by the Allies of that Power.

III. FIRE AND OTHER INSURANCES.

Paragraph 7.

Subject to the provisions set out in the preceding paragraph, fire insurance contracts and all other forms of insurance contracts are not deemed to be dissolved.

SECTION III.

CONCESSIONS.

Article 94.

Allied subjects holding concessions granted before October 29th, 1914, by the Ottoman par le Gouvernement ottoman ou toute autorité locale, sur des territoires restant turcs en vertu du présent Traité, seront rétablis par le Gouvernement turc dans l'intégralité des droits et obligations résultant du contrat de concession primitif et de tous accords subséquents antérieurs au 29 octobre 1914.

Sont de même confirmées, même si la Turquie n'a pas rempli toutes les conditions nécessaires à leur confirmation définitive, toutes conventions ou contrats de concessions, ainsi que les accords et décisions y relatifs, conclus eutre la Turquie et les ressortissants alliés avant le 29 octobre 1914, s'ils ont reçu un commencement d'exécution ou ont fait l'objet d'accords entre le gouvernement ottoman et un gouvernement allié.

La durée de toute concession ainsi que l'échéance de tout délai prévu dans une concession seront prorogés d'une période égale du temps écoulé entre le 29 octobre 1914 et la date de la mise en viguer du présent Traité.

Il sera, toutefois, tenu compte de cette prorogation dans l'évaluation de l'indemnité qui serait accordée aux concessionaires en application de l'article 80, ainsi que dans la réadaptation prévue à l'alinéa suivant.

Dans le cas où les concessions, conventions et accords susvisés ne réponderaient pas aux nouvelles conditions économiques, le Gouvernement turc et les bénéficiaires s'entendront entre eux en vue d'une revision et d'une réadaptation à ces nouvelles conditions.

Dans le délai d'un an à dater de la mise en vigueur du présent Traité et à défaut d'accord amiable entre les parties sur les conditions de cette réadaptation,

Government or any local authority in territory remaining Turkish under the present Treaty, shall be replaced by the Turkish Government in complete possession of the rights and shall undertake all the obligations resulting from the original concession contract and any subsequent agreements prior to October 29th, 1914.

All conventions or contracts relating to concessions made between Turkey and Allied subjects, and any agreements and decisions in regard thereto, prior to October 29th, 1914, are also confirmed if they have begun to be put into operation, or have formed the object of agreements between the Ottoman Government and an Allied Government, notwithstanding the non-fulfilment by Turkey of all the conditions requisite for their final confirmation.

The period for which any concession is valid and any time-limit provided for under a concession, shall be prolonged by a period equal to the interval between October 29th, 1914, and the date of the coming into force of the present Treaty.

Account shall, however, be taken of such prolongation in the assessment of the compensation to be accorded to concessionaires in accordance with Article 80, and also in the readaptation referred to in the following paragraph.

If the concessions, conventions and agreements referred to above do not correspond with the new economic conditions, the Turkish Government and the concessionaires shall agree upon a revision and readaptation in accordance with these new conditions.

Failing agreement between the parties upon the conditions of such readaptation within one year from the coming into force of the present Treaty, the matter

la décision sera déférée devant trois arbitres : l'un des arbitres sera désigné par le concessionaire, le deuxième arbitre sera désigné par le gouvernement turc, et le troisième sera, à défaut d'accord entre les intéressés, désigné par le Président de la Cour Permanente de Justice Internationale.

Les accords intervenus depuis le 30 octobre 1918 entre le gouvernement ottoman et les bénéficiaires des contrats et concessions visés au présent article sont confirmés.

Le gouvernement turc s'engage à maintenir ou à rétablir les ressortissants alliés dans les droits et obligations stipulés par les concessions, permis et contrats y relatifs acquis par eux directement ou par voie à transfert.

Toutes dispositions législatives ou autres, postérieures au 29 octobre 1914 et préjudiciables aux droits visés dans le présent article, sont nulles et non avenues.

Article 95.

En vue d'assurer la transformation en un réseau d'Etat turc des chemins de fer dans lesquels les intérêts turcs ou alliés ne sont pas prépondérants, le gouvernement turc procédera, dans un délai d'un an à dater de la mise en vigueur du présent Traité, soit au rachat, soit à la reprise desdits chemins de fer. Au cas où le gouvernement turc procéderait à leur reprise, un arbitre désigné par la Société des Nations fixera le montant de l'indemnité à verser au concessionaire d'après la valeur réelle et actuelle de l'entreprise, diminuée du montant des travaux effectués depuis le 30 octobre 1918.

shall be referred to three arbitrators, of whom one shall be chosen by the concessionaire, the second by the Turkish Government, and the third, failing agreement between those concerned, by the President of the Permanent Court of International Justice.

Agreements made since the 30th October, 1918, between the Ottoman Government and the holders of contracts and concessions referred to in the present article are confirmed.

The Turkish Government undertakes to maintain or to replace Allied subjects in the same position as regards rights and obligations as that provided for by the concessions acquired by them directly or as successors of the original concessionaires and by the licences and contracts relating to such concessions.

All legislative or other provisions subsequent to October 29th, 1914, which are inconsistent with the rights referred to in the present article are null and void.

Article 95.

In order to ensure the conversion of the railways in which Turkish or Allied interests are not preponderant into a Turkish State Railway System, the Turkish Government shall within one year from the coming into force of the present Treaty, either purchase or expropriate the said railways. If the Turkish Government decides to expropriate these railways, an arbitrator chosen by the League of Nations shall decide upon the amount of the compensation to be paid to the concessionaire in accordance with the true present value of the system, less the value of works carried out since October 30th, 1918.

Les Gouvernements alliés, dont les ressortissants ont des intérêts prépondérants dans les entreprises de chemins de fer en Turquie faciliteront, en ce qui les concerne, la transformation prévue au paragraphe précédent. Des accords ultérieurs détermineront la nature de ce concours et les modes de cette transformation. Il sera assuré aux capitaux turcs dans l'organisme d'exploitation une participation au moins égale à celle du groupe étranger le plus important.

Article 96.

Dans tous les territoires detachés de la Turquie, soit à la suite des guerres balkaniques en 1913, soit en vertu du présent Traité, l'Etat successeur, étant subrogé de plein droit dans les droits et charges de la Turquie vis-à-vis des concessionnaires ou bénéficiaires de contrats, visés à l'article 94, devra conserver à ceux-ci les garanties qui leur avaient été affectées ou leur en attribuer d'equivalentes.

Cette subrogation aura effet pour chaque Etat successeur à dater de la mise en vigueur du Traité par lequel le transfert du territoire a été stipulé. Ledit Etat prendra toutes mesures utiles pour que l'exploitation des concessions et l'exécution des contrats puissent être continuées sans aucune interruption.

Toutefois, dès la mise en vigueur du présent Traité, des négociations pourront être engagées entre les Etats successseurs et les bénéficiaires des concessions et contrats, à l'effet d'adapter d'un commun accord les dispositions desdites concessions et desdits contrats aux nouvelles conditions économiques.

Il sera tenu compte dans cette réadaptation des charges qu'entraînerait pour le concessionnaire la nécessité de se conformer à la législation desdits Etats.

The Allied Governments whose nationals have preponderating interests in the railway systems in Turkey shall, so far as they are concerned, facilitate the conversion referred to in the proceding paragraph. The nature of this assistance and the method of this conversion shall be determined by subsequent agreements. A share in the body formed to exploit these railways shall be reserved for Turkish capital at least equal to the share of the largest foreign group.

Article 96.

In all territories detached from Turkey either as a result of the Balkan Wars in 1913, or under the present Treaty, the State which acquires the territory shall *ipso facto* succeed to the duties and liabilities of Turkey towards the concessionaires and holders of contracts referred to in Article 94, and shall maintain the guarantees granted or assign equivalent guarantees.

This succession shall take effect, in the case of each acquired State, as from the coming into force of the Treaty under which the cession was effected. Such State shall take all necessary steps to ensure the uninterrupted working of the concessions and carrying out of the contracts.

Nevertheless, as from the coming into force of the present Treaty, negotiations may be entered into between the acquiring States and the holders of concessions or contracts with a view to a mutual agreement for bringing such concessions and contracts into conformity with the new economic conditions.

In such readaptation, account shall be taken of any liabilities imposed on the concessionaires by the necessity of conforming with the legislation of such States.

A défaut d'accord, dans les six mois, sur les conditions de la réadaptation, l'Etat ou les bénéficiaires soumettront leurs contestations à l'arbitrage selon la procédure prévue à l'article 94.

Article 97.

Dans les territoires détachés de la Turquie, les Puissances alliées ne seront pas tenues de reconnaître la validité des concessions ou transferts de concessions accordées par le gouvernement ottoman ou par les autorités locales ottomanes postérieurement au 29 octobre 1914.

Article 98.

Par application de l'article 155 du Traité de paix avec l'Allemagne et des articles correspondants des Traités de paix avec l'Autriche, avec la Hongrie et avec la Bulgarie, sont déclarés nuls toutes les concessions ou tous droits dans une concession accordée en Turquie depuis le 1er août 1914 jusqu'à la mise en vigueur du présent traité à des ressortissants allemands, autrichiens, hongrois ou bulgares ou à des sociétés dans lesquelles les intérêts desdits ressortissants sont prépondérants.

Article 99.

Toute société constituée conformément à la loi ottomane et fonctionnant dans des territoires détachés de la Turquie, soit à la suite des guerres balkaniques, soit en vertu du présent Traité, et où des intérêts alliés sont prépondérants, aura, pendant cinq ans à dater de la mise en vigueur du présent Traité, la faculté de transférer ses biens, droits et intérêts à toute autre société constituée en conformité de la loi soit de l'Etat exerçant l'autorité sur le territoire en question, soit

Should agreement not have been reached upon the conditions of readaptation within six months, the State or the holder of the concessions or contracts may submit the dispute to an Arbitral Tribunal constituted in accordance with the procedure referred to in Article 94.

Article 97.

The Allied Powers shall not be bound to recognise in territory detached from Turkey the validity of the grant or transfer of any concession by the Ottoman Government or by local Ottoman authorities, effected after October 29th, 1914.

Article 98.

In accordance with Article 155 of the Treaty of Peace with Germany and the corresponding articles in the Treaties of Peace with Austria, Hungary and Bulgaria, all concessions or rights in concessions granted in Turkey between the 1st August, 1914, and the date of the coming into force of the present Treaty in favour of German, Austrian, Hungarian or Bulgarian nationals or Companies in which the interests of such nationals are preponderant, are hereby annulled.

Article 99.

Any Company incorporated in accordance with Ottoman law and operating in a territory detached from Turkey either after the Balkan Wars, or under the present Treaty, in which Allied interests are preponderant, shall have the right within five years from the coming into force of the present Treaty, to transfer its property, rights and interests to another company incorporated in accordance with the law of the State exercising authority in the territory in question, or with the

de l'un des Etats alliés dont les ressortissants contrôlent ladite société. La société à qui les biens, droits et intérêts auront été transférés jouira des mêmes droits et privilèges dont jouissait la société précédents, y compris ceux que lui confèrent les dispositions du présent Traité.

Les dispositions qui précédent ne s'appliquent pas aux sociétés concessionaires de services publics dont une partie de l'exploitation demeurerait en territoires turc.

Les sociétés auxquelles seront transférés, en vertu du présent article, des biens, droits et intérêts de sociétés ottomanes, ne seront soumises sur les territoires détachés de la Turquie à aucune taxe spéciale du fait de ce transfert ou de leur constitution en vue de ce transfert s'il n'y est fait obstacle par des conventions internationales en vigueur. Il en sera de même sur le territoire de celle des Puissances contractantes dont ces sociétés prendraient la nationalité, à moins que cette Puissance n'y fasse opposition en vertu de sa législation propre.

Article 100.

Les sociétés établies sous une loi autre que celle d'une Puissance alliée dans lesquelles les ressortissants ou groupes alliés ont des intérêts prépondérants bénéficieront des dispositions des articles 94 à 96 dans les mêmes conditions que les ressortissants alliés.

SECTION 4.

DETTES.

Article 101.

Les dettes, en monnaie ottomane, autres que la Dette Publique Ottomane visée dans la Section 1 de la Partie II (Clauses financières) du présent Traité,

law of the Allied State whose nationals control the company. The company to which such property, rights and interests are transferred will continue to enjoy the same rights and privileges as the other company enjoyed including those conferred by the provisions of the present Treaty.

The foregoing provisions do not apply to companies holding public utility concessions which continue to operate partly in Turkish territory.

The Companies to which the property, rights and interests of Ottoman Companies are transferred under the present article shall not be subject in territory detached from Turkey to any special tax on account of this transfer, or on account of their formation with a view to this transfer, except in so far as this provision may be inconsistent with International Conventions in force. The same provision shall apply in the territory of the contracting Power the nationality of which is taken by such companies unless this Power raises objection to such exemption in view of its own legislation.

Article 100.

Companies formed under a law other than that of an Allied Power, in which Allied subjects or Allied groups held a preponderating interest, shall enjoy the benefit of the provisions of Articles 94 to 96 upon the same terms as Allied subjects.

SECTION IV.

DEBTS.

Article 101.

Debts in Ottoman currency, other than the Ottoman Public Debt referred to in Section I of Part II (Financial Clauses) of the present Treaty, between the

du Gouvernement ottoman ou ses ressortissants résidant sur le territoire turc à la date de la mise en vigueur du présent Traité, à l'égard des Gouvernements des Puissances Alliées ou leurs ressortissants qui, au 1er août 1914, n'étaient ni ressortissants ottomans ni résidant en Turquie ou y exerçant une activité seront payées ou créditées dane la monnaie des Puissances Alliées intéressées, y compris leurs colonies et protectorats, les Dominions britanniques et l'Inde, sans distinguer selon que les dettes étaient exigibles avant la guerre ou que, résultant de transactions ou contrats dont l'exécution totale ou partielle a été suspendue du fait de la guerre, elles sont devenues exigibles pendant la guerre.

Il en sera de même pour les dettes en monnaie ottomane des Gouvernements des Puissances Alliées et leurs ressortissants non résidant en Turquie ou y exerçant une activité, envers le Gouvernement Ottoman ou ses ressortissants résidant en Turquie.

Le taux de change à appliquer sera celui d'avant guerre Pour l'application de cette disposition, on considère que le taux de change d'avant guerre est égal à la moyenne des taux des transferts télégraphiques de la Puissance alliée intéressée pendant le mois qui a précédé immédiatement l'ouverture des hostilités entre ladite Puissance et la Turquie.

Les dettes en monnaie ottomane des ressortissants alliés qui, au premier août, 1914, résidaient en Turquie ou y exerçaient une activité, envers les ressortissants turcs et réciproquement, seront réglées en monnaie turque.

Si les dettes de part et d'autre sont exprimées dans une autre monnaie que la monnaie ottomane, le règlement aura lieu dans la monnaie convenue au contract,

Ottoman Government or its nationals resident in Turkish territory on the coming into force of the present Treaty, on the one hand, and the Governments of the Allied Powers or their nationals who were not on August 1st, 1914, Ottoman nationals or resident or carrying on business in Turkey, on the other hand, shall be paid or credited in the currency of such one of the Allied Powers, their Colonies or Protectorates, or the British Dominions or India, as may be concerned, whether such debts became payable before the war, or became payable during the war and arose out of transactions or contracts of which the total or partial execution was suspended on account of the war.

The same provisions shall apply to debts in Ottoman currency of the Allied Governments and their nationals not resident or carrying on business in Turkey to the Ottoman Government or its nationals resident in Turkey.

The rate of exchange to be applied shall be the pre-war rate of exchange. For the purpose of this provision the pre-war rate of exchange shall be defined as the average cable transfer rate prevailing in the Allied country concerned during the month immediately preceding the outbreak of hostilities between the said Power and Turkey.

Debts in Ottoman currency between Allied subjects resident or carrying on business in Turkey on August 1st, 1914, and Turkish nationals, shall be settled in Turkish currency.

If debts on either side are expressed as payable in a currency other than Ottoman currency, the debts shall be settled in the currency stipulated telle qu'elle a cours dans le pays d'où elle émane.

Les dettes réglées d'un commun accord entre parties avant la mise en vigueur du présent Traité, sans qu'une réserve expresse soit faite quant au taux de change, ne seront pas soumises aux dispositions du présent article.

Les dispositions du présent article, en ce qui concerne le taux de change ne s'appliqueront pas aux dettes ou créances des personnes résidant dans les territoires détachés de la Turquie en vertu du présent Traité.

Les sociétés ottomanes dans lesquelles les intérêts des ressortissants alliés sont prépondérants seront, pour l'application du présent article, considérées comme ressortissants alliés.

SECTION 5.

PROPRIETE INDUSTRIELLE, LITTERAIRE OU ARTISTIQUE.

Article 102.

Sous réserve des stipulations du présent Traité, les droits de propriété industrielle, littéraire ou artistique tels qu'ils existaient au 1er août 1914 conformément à la législation de chacun des Pays contractants, seront rétablis ou restaurés, à partir de la mise en vigueur du présent Traité, dans les territoires des Hautes Parties Contractantes, en faveur des personnes qui en étaient bénéficiaires au moment où l'état de guerre a commencé d'exister, ou de leurs ayants-droit. De même, les droits qui, si la guerre n'avait pas eu lieu, auraient pu être acquis pendant la durée de la guerre, à la suite d'une demande légalement faite pour la protection de la propriété industrielle ou de la publication d'une œuvre littéraire ou artistique, seront reconnus et rétablis en faveur des personnes qui y auraient des titres, à partir de la mise en vigueur du présent Traité.

in the contract at the current rate in its country of origin.

The provisions of the present Article shall not apply to debts settled by agreement between the parties before the coming into force of the present Treaty without any express reserve having been made as regards rate of exchange.

The provisions of the present Article as regards rate of exchange shall not affect debts dut to or from persons resident in territories detached from Turkey in accordance with the present Treaty.

Ottoman companies in which Allied nationals hold the preponderating interest shall be considered as Allied nationals for the purpose of the present Article.

SECTION V.

INDUSTRIAL, LITERARY AND ARTISTIC PROPERTY.

Article 102.

Subject to the stipulations of the present Treaty rights of industrial, literary and artistic property as they existed on the 1st August, 1914, in accordance with the legislation of each of the contracting countries, shall be re-established or restored as from the coming into force of the present Treaty in the territories of the High Contracting Parties in favour of the persons entitled to the benefit of them at the moment when the state of war commenced or their legal representatives. Equally, rights which, except for the war, would have been acquired during the war in consequence of an application legally made for the protection of industrial property, or the publication of a literary or artistic work, shall be recognised and established in favour of those persons who would have been entitled thereto from the coming into force of the present Treaty.

Sans préjudice des droits qui doivent être restaurés en vertu de la disposition ci-dessus, tous actes (y compris l'octroi de licences) faits en vertu des mesures spéciales qui auraient été prises pendant la guerre par une autorité législative, exécutive ou administrative d'une Puissance alliée à l'égard des droits des ressortissants ottomans en matière de propriété industrielle, littéraire ou artistique, demeureront valables et continueront à avoir leurs pleins effets. Cette stipulation s'appliquera *mutatis mutandis* aux mesures correspondantes des autorités turques prises à l'égard des droits des ressortissants d'une Puissance alliée quelconque.

Article 103.

Un délai minimum d'une année, à partir de la mise en vigueur du présent Traité, sans surtaxe ni pénalité d'aucune sorte, sera accordé aux ressortissants turcs sur le territoire de chacune des autres Puissances contractantes et aux ressortissants de ces Puissances en Turquie pour accomplir tout acte, remplir toute formalité, payer toute taxe et généralement satisfaire à toute obligation prescrite par les lois et les règlements de chaque Etat pour conserver ou obtenir les droits de propriété industrielle déjà acquis au ler août 1914 ou qui, si la guerre n'avait pas eu lieu, arraient pu être acquis depuis cette date, à la suite d'une demande faite, avant la guerre ou pendant sa durée, ainsi que pour y former opposition.

Les droits de propriété industrielle qui auraient été frappés de déchéance par suite d'un défaut d'accomplissement d'un acte, d'exécution d'une formalité ou de paiement d'une taxe, seront remis en vigueur, sous la réserve toutefois, en ce qui concerne les brevets et dessins, que chaque Puissance pourra prendre les

Without prejudice to the rights which are required to be restored in accordance with the above provision all acts (including the grant of licences) done by virtue of the special measures taken during the war under legislative, executive or administrative authority of any Allied Power in regard to the rights of Turkish nationals in industrial, literary or artistic property shall remain in force and continue to have their full effect. This provision applies *mutatis mutandis* to corresponding measures taken by Turkish authorities in regard to the rights of the nationals of any Allied Power.

Article 103.

A minimum of one year from the coming into force of the present Treaty without sur-tax or penalty of any kind shall be accorded to Turkish nationals on the territory of each of the other Contracting Powers, and to the nationals of these Powers in Turkey, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States relating to the preserving or obtaining or opposing rights to industrial property already acquired on the 1st August, 1914, or which, except for the war, might have been acquired since that date as a result of an application made before the war or during its continuance.

Rights to industrial property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment shall revive, but subject, in the case of patents and designs, to the imposition of such conditions as each Power may deem reasonably necessary for the protection of the rights

mesures qu'elle jugerait équitablement nécessaires pour la sauvegarde des droits des tiers qui auraient exploité ou employé des brevets ou des dessins pendant le temps où étaient frappés de déchéance.

La périods comprise entre le 1er août 1914, et la date de la mise en vigueur du présent Traité, n'entrera pas en ligne de compte dans le delai prévu pour la mise en exploitation d'un brevet ou pour l'usage de marques de fabrique ou de commerce ou de dessins, et il est convenu en outre qu'aucun brevet, marque de fabrique ou de commerce, ou dessin qui était encore en vigueur au 1er août 1914 ne pourra être frappé de déchéance ou d'annulation, du seul chef de non-exploitation ou de non-usage, avant l'expiration d'un délai de deux ans à partir de la mise en vigueur du présent Traité.

Article 104.

Aucune action ne pourra être intentée ni aucune revendication exercée, d'une part, par des ressortissants ou par des personnes résidant ou exerçant leur industrie en Turquie, et, d'autre part, par des ressortissants des Puissances alliées ou des personnes résidant ou exerçant leur industrie sur le territoire de ces Puissances, ni par les tiers auxquels ces personnes auraient cédé leurs droits pendant la guerre, à raison de faits qui se seraient produits sur le territoire de l'autre partie, entre la date de l'état de guerre et celle de la mise en vigueur du présent Traité et qui auraient pu être considérés comme portant atteinte à des droits de propriété industrielle ou de propriété littéraire ou artistique ayant existé à un moment quelconque pendant la guerre ou qui seront rétablis conformément à l'article 102.

of third parties who have manufactured or made use of patents or designs while they had lapsed.

The period from the 1st August, 1914, until the coming into force of the present Treaty shall be excluded in considering the time within which a patent should be worked or a trade-mark or design used, and it is further agreed that no patent, trademark or design in force on the 1st August, 1914, shall be subject to revocation or cancellation by reason only of the failure to work such patent or use such trademark or design for two years after the coming into force of the present Treaty.

Article 104.

No action shall be brought and no claim made on the one hand by Turkish nationals or persons residing or carrying on business in Turkey, and on the other hand by nationals of the Allied Powers or persons residing or carrying on their business on the territory of those Powers, nor by anyone deriving title during the war from such persons, by reason of any action which has taken place within the territory of the other party between the dae of the existence of a state of war and that of the coming into force of the present Treaty which might constitute an infringement of the rights of industrial property or rights of literary or artistic property either existing at any time during the war, or revived under the provisions of Article 102.

Parmi les faits ci-dessus visés, sont compris l'utilisation par les Gouvernements des Hautes Parties Contractantes ou par toute personne pour le compte de ces Gouvernements ou avec leur assentiment de droits de propriété industrielle, littéraire ou artistique, aussi bien que la vente, la mise en vente ou l'emploi de produits, appareils, articles ou objets quelconques auxquels s'appliqueraient ces droits.

Article 105.

Les contrats de licence, d'exploitation de droits, de propriété industrielle ou de reproduction d'oeuvres littéraires ou artistiques, conclus avant l'état de guerre entre les ressortissants des Puissances alliées ou des personnes résidant sur leurs territoires ou y exerçant leur industrie d'une part, et des ressortissants ottomans, d'autre part, seront considérés comme résiliés à dater de l'état de guerre entre la Turquie et la Puissance Alliée. Mais, dans tous les cas, le bénéficiaire primitif d'un contrat de ce genre aura le droit, dans un délai de six mois à dater de la mise en viguere du présent Traité, d'exiger du titulaire des droits le concession d'une nouvelle licence dont les conditions, à défaut d'entente entre les Parties, seront fixées par le Tribunal Arbitral Mixte prévu à la Section 6 de la présente Partie. Le Tribunal pourra, s'il y a lieu, fixer alors le montant des redevances qui lui paraîtrait justifié en raison de l'utilisation des droits pendant la guerre.

Article 106.

Les habitants des territoires détachés de la Turquie en vertu du présent Traité conserveront, nonobstant cette séparation et le changement de nationalité qui en résultera, la pleine et entière jouissance en Turquie de tous les

Among the actions referred to above are included the use by the Governments of the High Contracting Parties, or by any person for account of these Governments, or with their consent, of rights of industrial, literary or artistic property, as well as the sale, offering for sale or the use of products, apparatus, or any articles whatsoever to which these rights apply.

Article 105.

Licences in respect of the use of industrial property, or the reproduction of literary or artistic works, concluded before the war between nationals of the Allied Powers, or persons residing in their territories, or carrying on business therein, on the one hand and Turkish nationals on the other hand, shall be considered as cancelled as from the date of the existence of a state of war between Turkey and the Allied Power. But in any case, the former beneficiary of a contract of this kind shall have the right within a period of six months from the coming into force of the present Treaty to demand from the proprietor of the rights the grant of a new licence, the conditions of which, in default of agreement between the parties, shall be fixed by the Mixed Arbitral Tribunal referred to in Section 6 of the present Part. The Tribunal may, if necessary, fix also the amount which it may deem just should be paid by reason of the use of the rights during the war.

Article 106.

The inhabitants of territories detached from Turkey under the present Treaty shall, notwithstanding this transfer and the change of nationality consequent thereon, continue to enjoy in Turkey all the rights in indusdroits de propriété industrielle et de propriété littéraire et artistique, dont ils étaient titulaires, suivant la législation ottomane, au moment de ce transfert.

Les droits de propriété industrielle, littéraire et artistique en vigueur sur les territoires détachés de la Turquie en vertu du présent Traité au moment de cette séparation ou qui seront rétablis ou restaurés par l'application de l'article 102, seront reconnus par l'Etat auquel sera transféré ledit territoire et demeureront en vigueur sur ce territoire pour la durée qui leur sera accordée suivant la législation ottomane.

Article 107.

Sont confirmés tout octroi de brevets d'invention ou enregistrement de marques de fabrique aussi bien que tout enregistrement de transfert ou cession de brevets ou de marques de fabrique qui ont été dûment effectués depuis le 30 octobre 1918 par le Gouvernement Impérial Ottoman à Constantinople ou ailleurs.

SECTION 6.

Tribunal Arbitral Mixte.

Article 108.

Un Tribunal arbitral mixte sera constitué entre chacune des Puissances alliées, d'une part, et la Turquie, d'autre part, dans un délai de trois mois à dater de la mise en vigueur du présent Traité.

Chacun de ces Tribaunaux sera composé de trois membres. Chacun des Gouvernements intéressés désignera un de ces membres. Le Président sera choisi à la suite d'un accord entre les deux Gouvernements intéressés.

Au cas où cet accord ne serait pas réalisé dans le délai de deux mios à compter de la date de la

trial, literary and artistic property to which they were entitled under Ottoman legislation at the time of the transfer.

Rights of industrial, literary and artistic property which are in force in the territories detached from Turkey under the present Treaty at the moment of the transfer, or which will be re-established or restored in accordance with the provisions of Article 102, shall be recognised by the State to which the said territory is transferred, and shall remain in force in that territory for the same period of time as that given to them under Ottoman law.

Article 107.

All grants of patents and registrations of trade-marks, as well as all registrations of transfers or assignments of patents or trade-marks, duly effected since the 30th October, 1918, by the Imperial Ottoman Government at Constantinople or elsewhere are confirmed.

SECTION VI.

Mixed Arbitral Tribunal.

Article 108.

Within three months from the date of the coming into force of the present Treaty, a Mixed Arbitral Tribunal shall be established between each of the Allied Powers, on the one hand, and Turkey, on the other hand. Each such Tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The President shall be chosen by agreement between the two Governments concerned. In case of failure to reach agreement within two months from the coming into force of the present Treaty, the President shall be

mise en vigueur du présent Traité, ledit Président sera désigné, à la demande d'un des Gouvernements intéressés, parmi les personnes ressortissantes à des Puissances demeurées neutres pendant la guerre, par le Président de la Cour Permanente de Justice Internationale de la Haye.

De même si, dans ledit délai de deux mois, un des Gouvernements intéressés ne nomme pas le membre devant le représenter au Tribunal, il appartiendra au Conseil de la Société des Nations de procéder à la nomination de ce membre, à la demande de l'autre Gouvernement intéressé.

Article 109.

Si le nombre des affaires le justifie, d'autres membres devront être désignés pour que chaque Tribunal arbitral mixte puisse se diviser en plusieurs sections. Chacune de ces sections devra être composée comme il a été dit à l'article 108.

Chaque Gouvernement désignera un ou plusieurs agents pour le représenter devant le Tribunal.

Chaque Gouvernement paiera les honoraires du membre du Tribunal arbitral mixte qu'il nomme et de tout agent qu'il désignera pour le représenter devant le Tribunal. Les honoraires du Président seront fixés par accord spécial entre les Gouvernements intéressés, et ces honoraires, ainsi que les dépenses communes de chaque Tribunal, seront payés par moitié par les deux Gouvernements.

Article 110.

Les Tribunaux arbitraux mixtes, créés en vertu des articles 108 et 109, jugeront les différends qui sont de leur compétence en vertu du présent Traité.

La décision de la majorité des membres sera celle du Tribunal.

appointed upon the request of one of the Governments concerned, from among nationals of powers which remained neutral during the war, by the President of the Permanent Court of International Justice at The Hague.

Further, if within the said period of two months one of the Governments concerned does not appoint a member to represent it on the Tribunal, it shall be the duty of the Council of the League of Nations to proceed to the appointment of such member upon the request of the other Government concerned.

Article 109.

If the number of cases justifies it, additional members shall be appointed in order that each Mixed Arbitral Tribunal may sit in several divisions. Each of these divisions shall be constituted in accordance with the provisions of Article 108.

Each Government shall appoint one or more agents to represent it before the Tribunal.

Each Government shall pay the remuneration of the member of the Mixed Arbitral Tribunal appointed by it and of any agent whom it may appoint to represent it before the Tribunal. The remuneration of the President will be determined by special agreement between the Governments concerned; and this remuneration and the joint expenses of each Tribunal will be paid by the two Governments in equal moieties.

Article 110.

The Mixed Arbitral Tribunals established pursuant to Articles 108 and 109 shall decide all questions within their competence under the present Treaty.

Decisions shall be taken by majority.

Les Hautes Parties Contractantes conviennent de considérer les décisions des Tribunaux arbitraux mixtes comme définitives, et de les rendre obligatoires pour leurs ressortissants et d'en assurer l'exécution sur leurs territoires dès que la notification des sentences leur sera parvenue, sans qu'il soit besoin d'aucune procédure d'exequatur.

Les Hautes Parties Contractantes s'engagent en outre à ce que leurs Tribunaux et autorités prêtent directement aux Tribunaux arbitraux mixtes toute l'aide qui sera en leur pouvoir, spécialement en ce qui concerne la transmission des notifications et la réunion des preuves.

Article 111.

1.—Chaque Tribunal arbitral mixte établira lui-même sa procédure. Il décidera de l'ordre et des délais dans lesquels chaque partie devra présenter ses conclusions et règlera les formalités requises pour l'administration des preuves. Il jugera en droit et en équité.

2.—Les avocats et conseils des deux parties seront autorisés à présenter oralement et par écrit au Tribunal la défense de leur cause.

3.—Le Tribunal décidera de toutes questions et espèces qui lui seront soumises, d'après les preuves, témoignages et informations qui pourront être produits par les parties intéressées.

4.—Pour la procédure, la langue employée sera la langue du pays où le Tribunal a son siège et le français, et pour les audiences, sera la langue du pays où se

The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunals as final and conclusive and to render them binding upon their nationals and to ensure their enforcement in their respective territories as soon as the decisions of the tribunals are notified to them, without it being necessary to have them declared executory.

The High Contracting Parties further undertake that their tribunals and authorities shall directly assist the Mixed Arbitral Tribunals in every way that is in their power, particularly as regards the transmission of notices and the collection of evidence.

Article 111.

1.—Each Mixed Arbitral Tribunal shall settle its own procedure. It shall decide the order and time at which each party must conclude its arguments and arrange all formalities required for dealing with evidence. The Tribunal shall judge in accordance with right and equity.

2.—The agent and counsel of the Parties on each side shall be authorised to present orally and in writing to the Tribunal arguments in support of their case.

3.—The Tribunal shall decide all questions and matters submitted upon such evidence and information as may be furnished by the parties concerned.

4.—The language in which proceedings shall be conducted shall be that of the country in which the Tribunal is situated, and French, and for the hearings shall tiennent les audiences et le français.

5.—Les sièges, lieux et date des audiences de chaque Tribunal seront déterminés par le Président du Tribunal.

6.—Le Tribunal conservera les archives des procès qui lui seront soumis et de la procédure y relative, avec mention des dates.

7.—Chacune des Puissances intérossées pourra nommer un secrétaire. Ces secrétaires constitueront le secrétariat mixte du Tribunal et seront sous ses ordres. Le Tribunal pourra désigner en outre tous les fonctionnaires qui lui paraîtront nécessaires.

8.—En cas de décès ou de démission d'un membre du Tribunal, ou si un membre du Tribunal se trouve, pour une raison quelconque, dans l'impossibilité de remplir ses fonctions, il sera procédé à son remplacement conformément aux principes et modalités indiqués à l'article 108.

Dans ces divers cas, le délai de deux mois, spécifié dans les deux derniers alinéas de l'article 108 commencera à compter du décès ou de la démission, ou de la date à laquelle aura été constatée l'impossibilité ci-dessus mentionnée.

SECTION 7.

TRAITES.

Article 112.

Dès la mise en vigueur du présent Traité et sans préjudice des dispositions qui y sont contenues par ailleurs, les Traités, Conventions et Accords pluri-

be the language of the country in which the meetings are held, and French.

5.—The seat of each Tribunal and the place and time for the hearings shall be determined by the President of the Tribunal.

6.—The Tribunal shall keep the record of the cases submitted and of the proceedings thereon, with the dates of such proceedings.

7.—Each of the Powers concerned may appoint a secretary. These secretaries shall act together as joint secretaries of the Tribunal and shall be subject to its direction. The Tribunal may appoint and employ any other necessary officer or officers in the performance of its duties.

8.—Should one of the members of the Tribunal either die, retire, or be unable for any reason whatever to discharge his functions, the vacancy shall be filled in accordance with the principles and methods laid down in Article 108.

In any of these cases the period of two months laid down in the two last paragraphs of Article 108 shall begin to run from the death or retirement of the member or from the date on which it was established that he was unable to discharge his functions.

SECTION VII.

TREATIES.

Article 112.

From the coming into force of the present Treaty and subject to the provisions thereof, the multilateral treaties, conventions and agreements of an economic or

latéraux, de caractère économique ou technique, énumérés ci-après entreront de nouveau en vigueur entre la Turquie et celles des autres Puissances contractantes qui y sont parties :

(1°) Conventions du 14 mars 1884, du 1er decembre 1886 et du 23 mars 1887, et Protocols de clôture du 7 juillet 1887, relatifs à la protection des câbles sous-marins ;

(2°) Convention du 5 juillet 1890, relative à la publication des tariffs de douane et à l'organisation d'une Union internationale pour la publication des tarifs douaniers ;

(3°) Arrangement du 9 décembre 1907, relatif à la création de l'Office international d'hygiène publique à Paris ;

(4°) Convention du 7 juin 1905, relative à la création d'un Institut international agricole à Rome :

(5°) Convention du 27 juin 1855, relative à l'emprunt turc ;

(6°) Convention du 16 juillet 1863, relative au rechat des droits de péage sur l'Escaut ;

(7°) Convention du 29 octobre 1888, relative à l'établissement d'un régime destiné à garantir le libre usage du Canal de Suez, et sous réserve des stipulations spéciales prévues par l'article 18 du présent Traité ;

(8°) Conventions et Arrangements de l'Union postale universelle, y compris les Conventions et Arrangements signés à Madrid le 30 novembre 1920 ;

(9°) Conventions télégraphiques internationales, signées à Saint-Pétersbourg le 10-22 juillet 1875 ; Règlements et tarifs arrêtés par la Conférence télégraphique internationale de Lisbonne, le 11 juin 1908.

Article 113.

La Turquie s'engage à adhérer aux Conventions ou Accords énumérés ci-après ou à les ratifier :

technical character enumerated below shall enter again into force between Turkey and those of the other Contracting Powers party thereto.

1. Conventions of March 14, 1884, of December 1, 1886, and of March 23, 1887, and Final Protocol of July 7, 1887, regarding the protection of submarine cables ;

2. Convention of July 5, 1890, regarding the publication of customs tariffs and the organisation of an International Union for the publication of customs tariffs ;

3. Arrangement of December 9, 1907, regarding the creation of the International Office of Public Hygiene at Paris ;

4. Convention of June 7, 1905, regarding the creation of an International Agricultural Institute at Rome ;

5. Convention of June 27, 1855, regarding the Turkish loan ;

6. Convention of July 16, 1863, for the redemption of the toll dues on the Scheldt ;

7. Convention of October 29, 1888, regarding the establishment of a definite arrangement guaranteeing the free use of the Suez Canal, subject to the special stipulations provided for by Article 18 of the present Treaty ;

8. Conventions and Agreements of the Universal Postal Union, including the Conventions and Agreements signed at Madrid on November 30, 1920 ;

9. International Telegraphic Conventions signed at St. Petersburg on July 10/22, 1875 ; Regulations and Tariffs drawn up by the International Telegraphic Conference, Lisbon, June 11, 1908.

Article 113.

Turkey undertakes to adhere to the Conventions or Agreements enumerated below, or to ratify them :—

(1°) Convention du 11 octobre 1909, relative à la circulation internationale des automobiles ;

(2°) Accord du 15 mai 1886, relatif au plombage des wagons assujettis à la douane et Protocole du 18 mai 1907 ;

(3°) Convention du 23 septembre 1910, relative à l'unification de certaines règles en matière d'abordage, d'assistance et de sauvetage maritimes.

(4°) Convention du 21 décembre 1904, relative à l'exemption pour les bâtiments hospitaliers des droits et taxes dans les ports ;

(5°) Conventions du 18 mai 1904, du 4 mai 1910, et du 30 septembre 1921, relatives à la répression de la traite des femmes ;

(6°) Convention du 4 mai 1910, relative à la suppression des publications pornographiques ;

(7°) Convention sanitaire du 17 janvier 1912 sous réserve des articles 54, 88 et 90 ;

(8°) Conventions du 3 novembre 1881 et du 15 avril 1889 relatives aux mesures à prendre contre le phylloxéra ;

(9°) Convention sur l'Opium signée à La Haye le 23 janvier 1912 et Protocole additionnel de 1914 ;

(10°) Convention radiotélégraphique internationale du 5 juillet 1912 ;

(11°) Convention sur le régime des spiritueux en Afrique, signée à Saint-German-en-Laye le 10 septembre 1919 ;

(12°) Convention portant revision de l'Acte général de Berlin du 26 février 1885 et de l'Acte général et de la Déclaration de Bruxelles du 2 juillet 1890 signée à Saint-Germain-en-Laye le 10 septembre 1919 ;

(13°) Convention du 13 octobre 1919 portant règlementation de la navigation aérienne.

(14°) Convention du 26 septembre 1906, signée à Berne, pour

1. Convention of October 11, 1909, regarding the International circulation of motor cars ;

2. Agreement of May 15, 1886, regarding the sealing of railway trucks subject to customs inspection, and Protocol of May 18, 1907 ;

3. Convention of September 23, 1910, respecting the unification of certain regulations regarding collisions and salvage at sea ;

4. Convention of December 21, 1904, regarding exemption of hospital ships from dues and charges in ports ;

5. Conventions of May 18, 1904, of May 4, 1910, and of September 30, 1921, regarding the suppression of the White Slave Traffic ;

6. Convention of May 4, 1910, regarding the suppression of obscene publications ;

7. Sanitary Convention of January 17, 1912 ; Articles 54, 88 and 90 being reserved ;

8. Conventions of November 3, 1881, and April 15, 1889, regarding precautionary measures against phylloxera ;

9. Opium Convention, signed at The Hague, January 23, 1912, and additional Protocol of 1914 ;

10. International Radio-Telegraphic Convention of July 5, 1912 ;

11. Convention regarding liquor traffic in Africa, signed at St. Germain-en-Laye, September 10, 1919 ;

12. Convention revising the General Act of Berlin of February 26, 1885, and the General Act and Declaration of Brussels of July 2, 1890, signed at St. Germain-en-Laye, September 10, 1919 ;

13. Convention of October 13, 1919, regulating aerial navigation ;

14. Convention of September 26, 1906, signed at Berne, prohibiting

interdire l'usage du phosphore blanc dans la fabrication des allumettes.

La Turquie s'engage en outre à participer à l'élaboration de nouvelles Conventions internationales relatives à la télégraphie et à la radiotélégraphie.

Article 114.

Il appartiendra à chacune des Puissances alliées de s'entendre avec la Turquie, dans les douze mois qui suivront la mise en vigueur du présent Traité, sur les Traités, conventions et accords bilatéraux conclus avec elle et qu'il y aurait lieu de remettre en vigueur.

Article 115.

Aucune disposition des Traités, Conventions ou Accords conclus par la Turquie avec une Puissance quelconque ne sera opposable au présent Traité. La Turquie s'engage en conséquence à dénoncer toute disposition inconciliable avec le présent Traité.

SECTION 8.

DISPOSITIONS DIVERSES.

Article 116.

Les Hautes Parties contractantes sont d'accord pour abroger le régime économique résultant des capitulations. Les relations commerciales de la Turquie avec les autres Puissances contractantes seront régies par les dispositions de la Convention spéciale, signée en date de ce jour, qui aura même force et valeur, au regard des Hautes Parties contractantes, que si ces dispositions figuraient dans les présent Traité.

Article 117.

Les marchandises et produits originaires ou à destination du Maroc (zonc française) ainsi que les marchandises et produits

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the use of white phosphorus in the manufacture of matches.

Turkey further undertakes to take part in the elaboration of new International Conventions relating to Telegraphy and Radio-Telegraphy.

Article 114.

It will be for each of the Allied Powers to agree with Turkey in the 12 months following the entry into force of the present Treaty, regarding the bilateral treaties, conventions and agreements concluded with Turkey which there may be occasion again to put into force.

Article 115.

No disposition of the treaties, conventions or agreements concluded by Turkey with any Power whatsoever may be held to run counter to the present Treaty. Turkey further undertakes to denounce any disposition irreconcilable with the present Treaty.

SECTION VIII.

MISCELLANEOUS PROVISIONS.

Article 116.

The High Contracting Parties agree to abrogate the economic régime resulting from the capitulations. The commercial relations of Turkey with the other Contracting Powers shall be governed by the dispositions of the special Convention, signed on this day, which shall have the same force and validity, with regard to the High Contracting Parties, as if such dispositions were included in the present Treaty.

Article 117.

Goods and products originating from, or destined for, Morocco (French zone) as well as goods and products originating from, or originaires ou à destination de la Tunisie, seront soumis en Turquie au même régime que les marchandises françaises.

Les marchandises et produits originaires ou à destination de la Libye seront soumis en Turquie au même régime que les marchandises italiennes.

PARTIE IV.

VOIES DE COMMUNICATIONS ET QUESTIONS SANITAIRES.

SECTION I.

Voies de Communications.

Article 118.

La Turquie déclare adhérer à la Convention et au Statut sur la liberté du transit adopté par la Conférence de Barcelone, le 14 avril 1921, ainsi qu'à la Convention et au Statut sur le régime des voies navigables d'intérêt international adoptés par ladite Conférence le 19 avril 1921 et au Protocole additionnel.

En conséquence, la Turquie s'engage à mettre en application les dispositions de ces Conventions, et Statuts et Protocole dès la mise en viguer du présent Traité.

Article 119.

La Turquie déclare adhérer à la Déclaration de Barcelone en date du 20 avril 1921 " portant reconnaissance du droit au pavillon des Etats dépourvus d'un littoral maritime."

Article 120.

La Turquie déclare adhérer aux Recommendations de la Conférence de Barcelone en date du 20 avril 1921 concernant les ports soumis au régime international. La Turquie fera connaître ultérieurement les ports qui seront placés sous ce régime.

destined for, Tunis, shall be subject in Turkey to the same treatment as French goods.

Goods and products originating from, or destined for, Libya shall be subject in Turkey to the same treatment as Italian goods.

PART IV.

COMMUNICATIONS AND SANITARY QUESTIONS.

SECTION I.

Communications.

Article 118.

Turkey undertakes to adhere to the Convention and to the Statute respecting the Freedom of Transit adopted by the Conference of Barcelona on April 14, 1921, as well as to the Convention and the Statute respecting the régime for waterways of international interest adopted by the said Conference on April 19, 1921, and to the supplementary Protocol.

Turkey accordingly undertakes to bring into force the provisions of these Conventions, Statutes and Protocol as from the entry into force of the present Treaty.

Article 119.

Turkey undertakes to adhere to the Declaration of Barcelona dated April 20, 1921, " recognising the rights of the flag of States not possessing a sea-board."

Article 120.

Turkey undertakes to adhere to the recommendations of the Conference of Barcelona dated April 20, 1921, respecting ports placed under an international régime. Turkey will subsequently make known those ports which will be placed under that régime.

Article 121.

La Turquie déclare adhérer aux Recommandations de la Conference de Barcelone en date du 20 avril 1921 concernant les voies ferrées internationales. Ces recommandations seront mises en application par le Gouvernement turc dès la mise en vigueur du présent Traité et sous réserve de réciprocité.

Article 122.

La Turquie s'engage à souscrire dès la mise en vigueur du présent Traité, aux Conventions et Arrangements signés à Berne le 14 octobre 1890, le 20 septembre 1893, le 16 juillet 1895, le 16 juin 1898, et le 19 septembre 1906 sur le transport des marchandises par voies ferrées.

Article 123.

Lorsque, par suite du tracé des nouvelles frontières, une ligne reliant deux parties d'un même pays traversera un autre pays, ou lorsqu'une ligne d'embranchement partant d'un pays se terminera dans un autre, les conditions d'exploitation, en ce qui concerne le trafic entre les deux pays, seront réglées par un arrangement à conclure entre les administrations de chemins de fer intéressées. Au cas où ces administrations ne parviendraient pas à se mettre d'accord sur les conditions de cet arrangement, ces conditions seraient fixées par voie d'arbitrage.

L'établissement de toutes les nouvelles gares frontières entre la Turquie et les Etats limitrophes, ainsi que l'exploitation des lignes entre ces gares seront réglées par des arrangements conclus dans les mêmes conditions.

Article 124.

Sous réserve de stipulations particulières relatives au transfert des ports et voies ferrées appartenant soit au Gouverne-

Article 121.

Turkey undertakes to adhere to the recommendations of the Conference of Barcelona, dated April 20, 1921, respecting international railways. These recommendations will be brought into force by the Turkish Government on the coming into force of the present Treaty and subject to reciprocity.

Article 122.

From the coming into force of the present Treaty, Turkey agrees to subscribe to the Conventions and arrangements signed at Berne on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, regarding the transportation of goods by rail.

Article 123.

When, as a result of the fixing of new frontiers, a railway connection between two parts of the same country crosses another country, or a branch line from one country has its terminus in another, the conditions of working, in so far as concerns the traffic between the two countries, shall be laid down in a Convention to be concluded between the railway administrations concerned. If these administrations cannot come to an agreement as to the terms of such Convention, those conditions shall be decided by arbitration.

The establishment of all new frontier stations between Turkey and the neighbouring States, as well as the working of the lines between those stations, shall be settled by agreements similarly concluded.

Article 124.

Subject to any special provisions concerning the transfer of ports and railways, whether owned by the Turkish Government turc soit à des sociétés privées, et situés dans les territoires détachés de la Turquie en vertu du présent Traité, et sous réserve également des dispositions financières du présent Traité relativement aux concessionnaires et au service des pensions de retraite du personnel, le transfert des voies ferrées aura lieu dans conditions suivantes :

(1°.) Les ouvrages et les installations de toutes les voies ferrées seront laissés au complet et en aussi bon état que possible ;

(2°.) Lorsqu'un réseau ayant un matériel roulant à lui propre sera situé en entier sur un territoire transféré, ce matériel sera laissé au complet, d'après le dernier inventaire au 30 octobre 1918 ;

(3°) Pour les lignes dont, en vertu du présent Traité, l'administration se trouvera répartie, la répartition du matériel roulant sera fixée par voie d'arrangement amiable entre les administrations, auxquelles diverses sections sont attribuées. Cet arrangement devra prendre en considération l'importance du matériel immatriculé cur ces lignes d'après le dernier inventaire au 30 octobre 1918, la longueur des voies y compris les voies de service, la nature et l'importance du trafic. En cas de désaccord, les différends seront réglés par voie d'arbitrage. Cet arbitrage désignera également, le cas échéant, les locomotives, voitures et wagons qui devront être laissés sur chaque section, fixera les conditions de leur réception et réglera les arrangements qu'il jugera nécessaires pour assurer, pendant une période limitée, l'entretien du matériel transféré dans les ateliers existants ;

(4°) Les approvisionnements, le mobilier et l'outillage seront laissés dans les mêmes conditions que le matériel roulant.

ment or private companies, situated in the territories detached from Turkey under the present Treaty and similarly subject to the financial conditions of the present Treaty relating to the concessionnaires and the pensioning of the personnel, the transfer of railways will take place under the following conditions:—

(1) The works and installations of all the railroads shall be left complete and in as good condition as possible.

(2) When a railway system possessing its own rolling stock is situated in its entirety in transferred territory, such stock shall be left complete with the railway, in accordance with the last inventory before October 30, 1918.

(3) As regards lines, the administration of which will in virtue of the present Treaty be divided, the distribution of the rolling-stock shall be made by friendly agreement between the administrations taking over the several sections thereof. This agreement shall have regard to the amount of the material registered on those lines in the last inventory before October 30, 1918, the length of the track (sidings included) and the nature and amount of the traffic. Failing agreement, the points in dispute shall be settled by an arbitrator. This arbitrator shall also if necessary specify the locomotives, carriages and wagons to be left on each section, the conditions of their acceptance and such provisional arrangements as he may judge necessary to ensure for a limited period the current maintenance in existing workshops of the transferred stock.

(4) Stocks of stores, fittings and plant shall be left under the same conditions as the rolling-stock.

Article 125.

A moins de dispositions contraires, lorsque, par suite du tracé d'une nouvelle frontière, le régime des eaux (canalisations, inondations, irrigations, drainage ou questions analogues) dans un Etat dépend de travaux exécutés sur le territoire d'un autre Etat, ou lorsqu'il est fait usage sur le territoire d'un Etat, en vertu d'usages antérieurs à la guerre, des eaux ou de l'énergie hydraulique nées sur le territoire d'un autre Etat, il doit être établi une entente entre les Etats intéressés de nature à sauvegarder les intérêts et les droits acquis par chacun d'eux.

A défaut d'accord, il sera statué par voie d'arbitrage.

Article 126.

Ia Roumanie et le Turquie s'entendront pour fixer équitablement les conditions d'exploitation du câble Constanza-Constantinople. A défaut d'entente la question sera réglée par voie d'arbitrage.

Article 127.

La Turquie renonce, en son propre nom et au nom de ses ressortissants, à tous droits, titres ou privilèges de quelque nature que ce soit, sur tout ou partie des câbles n'atterrissant plus sur son territoire.

Si les câbles ou portions de câbles, transférés conformément à l'alinéa précédent, constituent des propriétés privées, il appartiendra aux Gouvernements auxquels la propriété est transférée, d'indemniser les propriétaires. En cas de désaccord sur le montant de l'indemnité, celle-ci sera fixée par voie d'arbitrage.

Article 128.

La Turquie conservera les droits de propriété qu'elle posséderait

Article 125.

In default of any provision to the contrary, when as the result of the fixing of a new frontier the hydraulic system (canalisation, inundation, irrigation, drainage or similar matters) in a State is dependent on works executed within the territory of another State, or when use is made on the territory of a State, in virtue of pre-war usage, of water or hydraulic power, the source of which is on the territory of another State, an agreement shall be made between the States concerned to safeguard the interests and rights acquired by each of them.

Failing an agreement, the matter shall be regulated by arbitration.

Article 126.

Roumania and Turkey will come to an agreement as to an equitable arrangement for the working conditions of the Constanza-Constantinople cable. Failing agreement, the matter shall be settled by arbitration.

Article 127.

Turkey renounces on her own behalf and on behalf of her nationals all rights, titles or privileges of whatsoever nature over the whole or part of such cables as no longer land on her territory.

If the cables or portions thereof transferred under the preceding paragraph are privately owned, the Governments to which this property is transferred will have to indemnify the owners. Failing agreement respecting the amount of indemnity, this amount will be fixed by arbitration.

Article 128.

Turkey will retain the rights of property which she may already déjà sur les câbles dont un atterrissage au moins reste en territoire turc.

L'exercice des droits d' atterrissage desdits câbles en territoire non turc et les conditions de leur exploitation, seront réglés à l'amiable par les Etats intéressés. En cas de désaccord, le différend sera réglé par voie d'arbitrage.

SECTION II.

QUESTIONS SANITAIRES.

Article 129.

Le Conseil Supérieur de Santé Constantinople est supprimé. L'administration turque est chargée de l'organisation sanitaire des côtes et frontières de la Turquie. Toutefois, il est constitué un Comité sanitaire chargé de diriger le personnel, les lazarets, et les installations nécessaires à la défense sanitaire des Détroits.

Ce Comité sera composé d'un médecin turc diplômé, Président, et de trois médecins diplômés qui devront toujours appartenir à trois nationalités différentes. Ces derniers seront choisis par le Gouvernement turc sur une liste de six noms, établie de concert par le Comité d'Hygiène de la Société des Nations et par l'Office International d'Hygiène Publique. Toutes les fois qu'il y aura lieu à remplacement, la liste des médecins proposés au choix du Gouvernement turc comprendra au moins deux fois autant de noms qu'il y aura de vacances à pourvoir.

Les indemnités des membres du Comité seront payées sur le produit des taxes sanitaires: le montant en sera fixé par le Comité d'Hygiène de la Société des Nations.

Le Comité Sanitaire des Détroits sera dissous à l'expira-

possess over those cables of which at least one end remains in Turkish territory.

The exercise of the landing rights of the said cables in non-Turkish territory and their working conditions shall be settled in a friendly manner by the States concerned. Failing agreement, the dispute will be settled by arbitration.

SECTION II.

SANITARY QUESTIONS.

Article 129.

The Superior Council of Health of Constantinople is abolished. The Turkish administration is entrusted with the sanitary organisation of the coasts and frontiers of Turkey. A sanitary Committee is, however, set up, which is required to direct the personnel, the quarantine stations and the installations necessary for the sanitary protection of the Straits.

This Committee shall be composed of a Turkish doctor possessing a medical degree as President, and of three doctors with degrees, who shall always be of three different nationalities. The latter shall be chosen by the Turkish Government out of a list of six names, drawn up in agreement by the Health Committee of the League of Nations and by the International Office of Public Health. Whenever there is occasion to replace a member of the Committee, the list of doctors from which the Turkish Government is to choose shall include at least twice as many names as there are vacancies to fill.

The salaries of the members of the Committee shall be paid out of the yield of the sanitary dues: the amount of these salaries shall be fixed by the Health Committee of the League of Nations.

The Sanitary Committee of the Straits shall be dissolved upon tion d'un délai de cinq années, à moins que le Gouvernement turc ne juge nécessaire d'en prolonger la durée.

Article 130.

Le Comité rédigera ses statuts et le statut du personnel sanitaire des Détroits; it établira son budget annuel et le Gouvernement turc s'engage à couvrir les dépenses telles qu'elles seront fixées par ce budget en prélevant les sommes nécessaires sur le produit des taxes sanitaires perçues dans tous les ports turcs, y compris les Détroits.

Le Comité Sanitaire des Détroits édictera un règlement sanitaire pour les Détroits, en se conformant aux dispositions des Conventions sanitaires internationales, et de la Convention sur le régime, des Détroits prévue à l'article 21 du présent Traité.

Un seul et même tarif sanitaire sera appliqué à tous les navires sans distinguer entre le pavillon turc et les pavillons étrangers, et aux ressortissants des Puissances étrangères dans les mêmes conditions qu'aux ressortissants de la Turquie.

Article 131.

La Turquie s'engage à respecter entièrement le droit des employés sanitaires licenciés à une indemnité à prélever sur les fonds sanitaires et tous les autres droits acquis des employés et ex-employés sanitaires et de leurs ayants-droit. Toutes les questions ayant trait à ces droits, à la destination à donner aux fonds de réserve de l'ex-Conseil Supérieur de Santé de Constantinople, à la liquidation financière et administrative de l'ancienne administration sanitaire et aux modalités de la transition de

the expiration of a period of five years, unless the Turkish Government considers it necessary to prolong its existence.

Article 130.

The Committee shall draw up its own statutes and the regulations for the sanitary personnel of the Straits ; it shall draw up its annual budget and the Turkish Government undertakes to cover the expenses, as fixed by this budget, by appropriating the necessary sums of money out of the yield of the sanitary dues levied in all Turkish ports, including the Straits.

The Sanitary Committee of the Straits shall issue a sanitary regulation for the Straits, in conformity with the provisions of international Sanitary Conventions, and of the Convention respecting the régime of the Straits referred to in Article 21 of the present Treaty.

A single sanitary tariff shall be applied to all ships without distinction between the Turkish flag and foreign flags, and to nationals of foreign Powers under the same conditions as to nationals of Turkey.

Article 131.

Turkey undertakes to respect entirely the right of the sanitary employees whose services have terminated to compensation to be appropriated out of sanitary funds, and to all other existing rights of the sanitary employees and ex-employees and of their legal representatives. All questions relating to these rights, to the employment of the reserve funds of the former Superior Council of Health at Constantinople, to the financial and administrative liquidation of the former sanitary administration,

l'ancien au nouveau régime sanitaire en Turquie, ainsi que toute autre question semblable ou connexe seront réglées par une Commission *ad hoc.* Il est entendu que le reliquat des fonds de la réserve générale restant après que satisfaction aura été donnée aux droits ci-dessus mentionnés, sera affecté aux besoins du service sanitaire de la Turquie, soit dans les Détroits, soit en dehors des Détroits.

Cette Commission sera composée d'un Représentant de chacune des Puissances qui faisaient partie du Conseil Supérieur de Santé de Constantinople, à l'exception de l'Allemagne, de l'Autriche et de la Hongrie.

La Turquie s'engage à accepter toutes les décisions de cette Commission.

Article 132.

La Turquie et les Puissances intéressées à la surveillance sanitaire des pélerinages de Jérusalem, et du Hedjaz et du chemin de fer du Hedjaz, prendront les mesures appropriées, conformément aux dispositions des Conventions sanitaires internationales. A l'effet d'assurer une complète uniformité d'exécution, ces Puissances et la Turquie constitueront une Commission de coordination sanitaire des pélerinages, dans laquelle les services sanitaires de la Turquie et le Conseil Sanitaire maritime et quarantenaire d'Alexandrie seront représentés.

Cette Commission devra obtenir le consentement préalable de l'Etat sur le territoire duquel elle se réunira.

Article 133.

Des rapports sur les travaux de la Commission de coordination des pélerinages seront adressés au Comité d'Hygiène de la Société des Nations et à l'Office International d'Hygiène Pub-

and to the methods of transition from the old to the new sanitary régime in Turkey, and also all other similar or cognate questions shall be regulated by a Commission *ad hoc.* It is understood that the balance of the general reserve funds remaining after the above-mentioned rights have been satisfied shall be assigned to the needs of the sanitary service of Turkey, either in or outside the Straits.

This Commission shall be composed of a representative of each of the Powers which formed part of the Superior Council of Health at Constantinople, except Germany, Austria and Hungary.

Turkey undertakes to accept all the decisions of this Commission.

Article 132.

Turkey and those Powers which are interested in the sanitary supervision of the pilgrimages to Jerusalem, of the Hedjaz and of the Hedjaz railway shall take such measures as are appropriate in accordance with the provisions of international sanitary conventions. With a view to ensuring complete uniformity in the execution of these measures, these Powers and Turkey shall constitute a Sanitary Coordination Commission for pilgrimages, on which the sanitary service of Turkey and the Maritime and Quarantine Sanitary Council of Alexandria shall be represented.

This Commission must obtain the previous consent of the State on whose territory it holds its meeting.

Article 133.

Reports on the work of the Coordination Commission of pilgrimages shall be addressed to the Health Committee of the League of Nations and to the International Office of Public Health,

lique ainsi qu'au Gouvernement de tout pays intéressé aux pelerinages, qui en ferait la demande. La Commission donnera son avis sur toute question qui lui sera posée par la Société des Nations, par l'Office International d'Hygiène Publique ou par les Gouvernements intéressées.

PARTIE V.

CLAUSES DIVERSES.

1. PRISONNIERS DE GUERRE.

Article 134.

Les Hautes Parties Contractantes s'engagent à rapatrier immédiatement les prisonniers de guerre et internés civils qui seraient restés entre leurs mains.

L'échange des prisonniers de guerre et internés civils détenus respectivement par la Grèce et la Turquie fait l'objet de l'accord particulier entre ces Puissances, signé le .... 1923.

Article 135.

Les prisonniers de guerre et internés civils qui sont passibles ou frappés de peines pour fautes contre la discipline, seront rapatriés sans qu'il soit tenu compte de l'achèvement de leur peine ou de la procédure engagée contre eux.

Ceux qui sont passibles ou frappés de peines pour des faits autres que des infractions disciplinaires, pourront être maintenus en détention.

Article 136.

Les Hautes Parties Contractantes s'engagent à donner sur leurs territoires respectifs toutes facilités pour la recherche des disparus ou l'identification des prisonniers de guerre et internés civils qui ont manifesté le désir de ne pas être rapatriés.

and also to the Government of each country which is interested in pilgrimages and makes a request therefor. The Commission will give its opinion on every question put to it by the League of Nations, by the International Office of Public Health or by the interested Governments.

PART V.

MISCELLANEOUS PROVISIONS.

I. PRISONERS OF WAR.

Article 134.

The High Contracting Parties agree to repatriate at once the prisoners of war and interned civilians who are still in their hands.

The exchange of prisoners of war and interned civilians detained by Greece and Turkey respectively forms the subject of a separate agreement between those Powers signed on 1923.

Article 135.

Prisoners of war and interned civilians awaiting disposal or undergoing sentence for offences against discipline shall be repatriated irrespective of the completion of their sentence or of the proceedings pending against them.

Prisoners of war and interned civilians who are awaiting trial or undergoing sentence for offences other than those against discipline may be detained.

Article 136.

The High Contracting Parties agree to give every facility in their respective territories for the search for the missing and the identification of prisoners of war and interned civilians who have expressed their desire not to be repatriated.

Article 137.

Les Hautes Parties Contractantes s'engagent à restituer dès la mise en vigueur du présent Traité tous les objets, monnaie, valeurs, documents ou effets personnels de toute nature appartenant ou ayant appartenu aux prisonniers de guerre et internés civils, et qui auraient été retenus.

Article 138.

Les Hautes Parties Contractantes déclarent renoncer au remboursement réciproque des sommes dues pour l'entretien des prisonniers de guerre capturés par leurs armées.

2. SEPULTURES.

Article 139.

Sans préjudice des dispositions particulières qui font l'objet de l'article 141 ci-après, les Hautes Parties Contractantes feront respecter et entretenir, sur les territoires soumis à leur autorité, les cimetières, sépultures, ossuaires et monuments commémoratifs des soldats et marins de chacune d'elles tombés sur le champ de bataille ou morts des suites de leurs blessures, d'accidents ou de maladies, depuis le 29 octobre 1914, ainsi que ceux des prisonniers de guerre et des internés civils décédés en captivité depuis la même date.

Les Hautes Parties contractantes s'entendront pour donner toutes facilités de remplir leur mission sur leurs territoires respectifs aux Commissions que chacune d'elles pourra charger d'identifier, d'enregistrer, d'entretenir lesdits cimetières, ossuaires et sépultures, et d'élever des monuments convenables sur leurs emplacements. Ces Commissions ne devront avoir aucun caractère militaire.

Elles conviennent de se donner réciproquement, sous réserve des prescriptions de leur législation

Article 137.

The High Contracting Parties undertake to restore on the coming into force of the present Treaty all articles, money, securities, documents and personal effects of every description belonging to or having belonged to prisoners of war or interned civilians and which have been retained.

Article 138.

The High Contracting Parties waive reciprocally all repayments of sums due for the maintenance of prisoners of war captured by their armies.

II. GRAVES.

Article 139.

Without prejudice to the special provisions of Article 141 of the present Treaty, the High Contracting Parties will cause to be respected and maintained within the territories under their authority the cemeteries, graves, ossuaries and memorials of soldiers and sailors who fell in action or died from wounds, accident or disease since October 29, 1914, as well as prisoners of war and interned civilians who died in captivity after that date.

The High Contracting Parties will agree to accord in their respective territories all necessary facilities to such Commissions as each Contracting Party may appoint for the purpose of the identification, registration and maintenance of the said cemeteries, ossuaries and graves, and the erection of memorials on their sites. Such Commissions shall not have any military character.

The High Contracting Parties reciprocally undertake subject to the provisions of their national nationale et des nécessités de l'hygiène publique, toutes facilités pour satisfaire aux demandes de rapatriement des restes de leurs soldats et marins visés ci-dessus.

Article 140.

Les Hautes Parties contractantes s'engagent à se fournir réciproquement:

1° la liste complète des prisonniers de guerre et internés civils décédés en captivité, en y joignant tous renseignements utiles à leur identification.

2° toutes indications sur le nombre et l'emplacement des sépultures des morts enterrés sans avoir été identifiés.

Article 141.

L'entretien des sépultures, cimetières, ossuaires et monuments commémoratifs des soldats, marins et prisonniers de guerre turcs morts sur le territoire roumain depuis le 27 août 1916, ainsi que toute autre obligation résultant des articles 139 et 140 en ce qui concerne les internés civils, feront l'objet d'un arrangement spécial entre le gouvernement roumain et le gouvernement turc.

Article 142.

Pour compléter les stipulations d'ordre général des articles 139 et 140, les gouvernements de l'Empire britannique, de la France et de l'Italie d'une part, et les gouvernements turc et hellénique d'autre part, conviennent des dispositions spéciales qui font l'objet des articles 143 à 151.

Article 143.

Le gouvernement turc s'engage, vis-a-vis des gouvernements de l'Empire britannique, de la France et de l'Italie, à leur concéder séparément à perpétuité, sur son territoire, les terrains où se trouvent des sépultures, cimetières, ossuaires et monuments

legislation and the requirements of public health to furnish each other every facility for giving effect to requests that the bodies of such soldiers and sailors may be transferred to their own country.

Article 140.

The High Contracting Parties further undertake to furnish each other:—

(1) A complete list of prisoners of war and interned civilians who have died in captivity, together with all information tending towards their identification.

(2) All information as to the number and position of the graves of all those who have been buried without identification.

Article 141.

The maintenance of the graves, cemeteries, ossuaries and memorials of Turkish soldiers, sailors and prisoners of war who may have died on Roumanian territory since August 27, 1916, as well as all other obligations deriving under Articles 139 and 140 regarding interned civilians shall form the object of a special arrangement between the Roumanian Government and the Turkish Government.

Article 142.

In order to complete the general provisions included in Articles 139 and 140, the Governments of the British Empire, France and Italy on the one hand and Governments of Turkey and Greece on the other agree to the special provisions contained in Articles 143 to 151.

Article 143.

The Turkish Government undertakes to grant to the British, French and Italian Governments respectively and in perpetuity the land within its territory in which are situated the graves, cemeteries,

commémoratifs de leurs soldats et marins respectifs tombés sur le champ de bataille ou morts des suites de leurs blessures, d'accidents ou de maladies ainsi que de leurs prisonniers de guerre et internés civils décédés en captivité. Il leur concédera de même les terrains qui seront reconnus nécessaires à l'avenir, pour l'établissement de cimetières de groupement, d'ossuaires ou de monuments commémoratifs par les Commissions prévues à l'article 145.

Il s'engage en outre à donner libre accès à ces sépultures, cimetières, ossuaires et monuments et à autoriser, le cas échéant, la construction des routes et chemins nécessaires.

Le gouvernement hellénique prend les mêmes engagements en ce qui concerne son territoire.

Les dispositions qui précèdent ne portent pas atteinte à la souveraineté turque ou, suivant le cas à la souveraineté hellénique, sur les territoires concédés.

Article 144.

Parmi les terrains à concéder par le gouvernement turc seront compris notamment pour l'Empire britannique ceux de la région d'Anzac (Ari Burnu) qui sont indiqués sur la carte No. 3.*

Article 145.

Chacun des gouvernements britannique, français et italien désignera une Commission à laquelle les gouvernements turc et hellénique délègueront un représentant et qui sera chargée de régler sur place les questions concernant les sépultures, cimetières, ossuaires et monuments commémoratifs. Ces Commissions seront notamment chargées de :

(1°) reconnaître les zones où les inhumations ont été ou ont

ossuaries or memorials of their soldiers and sailors who fell in action or died of wounds, accident or disease, as well as those of their prisoners of war and interned civilians who died in captivity. The Turksh Government will also grant to these Powers the land which the commissions provided for in Article 145 shall consider necessary for the establishment of cemeteries, for the regrouping of graves, for ossuaries or memorials.

The Turkish Government undertakes further to give free access to these graves, cemeteries, ossuaries and memorials and if need be to authorise the construction of the necessary roads and pathways.

The Greek Government undertakes to fulfil the same obligations in so far as concerns its territory.

The above provisions shall not affect Turkish or Greek sovereignty over the land thus granted.

Article 144.

The land to be granted by the Turkish Government will include in particular, in so far as the British Empire is concerned, the area in the region of Anzac (Ari Burnu) which is shown on the Map.*

Article 145.

The British, French and Italian Governments shall appoint a commission to which the Turkish and Greek Governments will appoint a representative, to which will be entrusted the duty of regulating on the spot questions affecting the graves, cemeteries, ossuaries and memorials. The duties of this commission shall extend particularly to :—

(1) The official recognition of the zones where burials have

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* The British Delegation offered to insert here an Annex further defining the conditions under which the land was to be held ; *see* page 834, paragraph 8, and Annex II, page 836.

pu être faites, et constater les sépultures, cimetières, ossuaires ou monuments existants.

(2°) fixer les conditions dans lesquelles il sera procédé, s'il y a lieu, à des regroupements de sépultures ; désigner de concert avec le représentant turc en territoire turc, avec le représentant hellénique en territoire hellénique, les emplacements des cimetières de regroupement, des ossuaires et des monuments commémoratifs à établir ; et déterminer les limites de ces emplacements en réduisant la surface occupée au minimum indispensable.

(3°) notifier aux gouvernements turc et hellénique, au nom de leurs gouvernements respectifs, le plan définitif des sépultures, cimetières, ossuaires et monuments établis ou à établir, pour leurs nationaux.

Article 146.

Les gouvernements concessionaires s'engagent à ne pas donner ni laisser donner aux terrains concédés d'autres usages que ceux ci-dessus visés. Si ces terrains sont situés au bord de la mer, le rivage n'en pourra être utilisé pour aucun but militaire, maritime ou commercial quelconque par le gouvernement concessionnaire. Les terrains des sépultures et cimetières qui seraient désaffectés et qui ne seraient pas utilisés pour l'érection de monuments commémoratifs, feront retour au gouvernement turc ou suivant le cas au gouvernement hellénique.

Article 147.

Les mesures législatives ou administratives nécessaires pour concéder aux gouvernements britannique, français et italien la pleine et entière jouissance à perpétuité des terrains visés aux articles 143 à 145, devront être

already taken place or might take place and the registration of graves, cemeteries, ossuaries, or memorials already existing.

(2) fixing the conditions in which, if necessary, graves may in future be concentrated, and deciding, in conjunction with the Turkish representative in Turkish territory and the Greek representative in Greek territory, the sites of the regrouped cemeteries, ossuaries and memorials still to be established and defining the boundaries of these sites in such a way as shall restrict the land to be occupied within the limits indispensable for the purpose.

(3) communicating to the Turkish and Greek Governments in the name of their respective Governments a final plan of the graves, cemeteries, ossuaries and memorials, whether already established or to be established for their nationals.

Article 146.

The Government in whose favour the grant is made undertakes not to employ the land so conceded nor to allow it to be employed for any purpose other than that provided for above. If this land is situated on the coast the shore may not be employed by the concessionary Government for any military, naval or commercial purpose whatever. The sites of graves and cemeteries which may no longer be used for that purpose and which are not used for the erection of memorials shall be returned to the Turkish or Greek Government.

Article 147.

Any necessary legislative or administrative measures for the grant to the British, French and Italian Governments respectively of full and exclusive use in perpetuity of the land referred to in Articles 143, 144 and 145 shall be

prises respectivement par le gouvernement turc et le gouvernement hellénique dans les six mois qui suivront la notification prévue à l'article 145, alinéa 3. Si des expropriations sont nécessaires, elles seront effectués par les soins et aux frais des gouvernements turc et hellénique sur leurs territoires respectifs.

Article 148.

Les gouvernements britannique, français et italien seront libres de confier à tel organe d'execution qu'ils jugeront convenable l'établissement, l'aménagement et l'entretien des sépultures, cimetières, ossuaires et monuments de leurs ressortissants. Ces organes ne devront pas avoir de caractère militaire. Ils auront seuls le droit de faire procéder aux exhumations et transferts de corps jugés nécessaires pour assurer le regroupement des sépultures et l'établissement des cimetières et ossuaires ainsi qu'aux exhumations et transferts des corps, dont les gouvernements concessionnaires jugeraient devoir opérer le rapatriement.

Article 149.

Les gouvernements britannique, français et italien auront le droit de faire assurer la garde de leurs sépultures, cimetières, ossuaires et monuments commêmoratifs situés en Turquie, par des gardiens désignés parmi leurs ressortissants. Ces gardiens devront être reconnus par les autorités turques et devront recevoir le concours de ces dernières pour assurer la sauvegarde des sépultures, cimetières, ossuaires et monuments. Ils n'auront aucun caractère militaire, mais pourront être armés, pour leur défense personnelle, d'un revolver ou pistolet automatique.

taken by the Turkish Government and Greek Governments respectively within six months of the date of the notification to be made in accordance with paragraph 3 of Article 145. If any compulsory acquisition of the land is necessary it will be effected by and at the cost of the Turkish Government or the Greek Government in their respective territories.

Article 148.

The British, French and Italian Governments may respectively entrust to such organisations as each of them may deem fit the establishment, arrangement and maintenance of the graves, cemeteries, ossuaries and memorials of their nationals. These organisations shall have no military character. They alone shall have the right to undertake the exhumation or transfer of bodies necessary for the concentration of graves and establishment of cemeteries and ossuaries, as well as the exhumation and removal of such bodies as the concessionary Governments shall deem it necessary to transfer to their own country.

Article 149.

The British, French, and Italian Governments shall have the right to entrust the care of their graves, cemeteries, ossuaries and memorials in Turkey to custodians appointed from among their own nationals. These custodians shall be recognised by the Turkish authorities and shall receive from them every assistance necessary for the safeguard and protection of these graves, cemeteries, ossuaries and memorials. The custodians shall have no military character but may be armed for their personal defence with a revolver or automatic pistol.

Article 150.

Les terrains visés dans les articles 143 à 146 ne seront soumis par la Turquie et les autorités turques, ou selon le cas par la Grèce et les autorités helléniques à aucune espèce de loyer, taxe ou impôt. Leur accès sera libre en tout temps aux représentants des gouvernements britannique, français et italien, ainsi qu'aux personnes désireuses de visiter les sépultures, cimetières, ossuaires et monuments commémoratifs. Le gouvernement turc et le gouvernement hellénique, respectivement, prendront à leur charge à perpétuité l'entretien des routes donnant accès auxdits terrains.

Le gouvernement turc et le gouvernement hellénique, respectivement, s'engagent à accorder aux gouvernements britannique, français et italien toutes facilités pour leur permettre de se procurer la quantité d'eau nécessaire aux besoins du personnel affecté à l'entretien ou à la garde desdits cimetières, sépultures, ossuaires, monuments et pour l'irrigation du terrain.

Article 151.

Les gouvernements britannique, français et italien s'engagent à accorder au gouvernement turc le bénéfice des dispositions des articles 143 à 150 pour l'établissement des sépultures, cimetières, ossuaires et monuments commémoratifs des soldats et marins turcs reposant sur les territoires dépendant de leur autorité, y compris ceux de ces territoires qui sont détachés de la Turquie.

3. DISPOSITIONS GENERALES.

Article 152.

Sans préjudice des dispositions de la Partie II (Clauses financières) et de la Partie III (Clauses économiques), est confirmée la validité de tous les

Article 150.

The land referred to in Articles 143 to 146 shall not be subjected by Turkey or the Turkish authorities, or by Greece or the Greek authorities as the case may be, to any form of rent or taxation. Representatives of the British, French or Italian Governments, as well as persons desirous of visiting the graves, cemeteries, ossuaries and memorials, shall at all times have free access thereto. The Turkish Government and the Greek Government respectively undertake to maintain in perpetuity the roads leading to the said land.

The Turkish Government and the Greek Government respectively undertake to afford to the British, French and Italian Governments all necessary facilities for obtaining a sufficient water supply for the requirements of the staff engaged in the maintenance or protection of the said graves, cemeteries, ossuaries and memorials, and for the irrigation of the land.

Article 151.

The British, French and Italian Governments undertake to accord to the Turkish Government the benefits of the provisions contained in Articles 143 to 150 of the present Treaty for the establishment of graves, cemeteries, ossuaries and memorials of Turkish soldiers and sailors existing on the territories under their authority, including those territories detached from Turkey.

III. GENERAL PROVISIONS.

Article 152.

Without prejudice to the provisions of Part II (Financial Clauses) and Part III (Economic Clauses) the validity of all orders given, all payments and financial

ordres donnés, dépenses et affectations financières et en général de toutes les mesures prises en Turquie depuis le 30 octobre 1918 jusqu'à la mise en vigueur du présent Traité, par les autorités des Puissances ayant occupé Constantinople, concernant notamment l'administration publique y compris la police, ainsi que les biens, droits et intérêts privés de leurs ressortissants, des étrangers ou des ressortissants turcs et les rapports des uns et des autres avec les autorités de la Turquie.

Il en est de même des ordres donnés et des mesures prises par les autorités desdites Puissances d'accord avec les autorités de la Turquie, ainsi que des ordres donnés et des mesures prises par les autorités de la Turquie d'accord avec les autorités desdites Puissances.

Aucune réclamation du gouvernement turc ou de ses ressortissants ne sera recevable vis-à-vis des Puissances ayant occupé Constantinople ou vis-à-vis de leurs ressortissants ou des étrangers, du chef des ordres ou mesures ci-dessus visés ou en raison d'omissions qui auraient pu être commises par les autorités desdites Puissances ou sur leurs ordres, relativement auxdits biens, droits et intérêts ou aux rapports de leurs ressortissants, des étrangers ou des ressortissants turcs avec les autorités de la Turquie.

Article 153.

Toutes décisions judiciaires rendues en Turquie depuis le 30 octobre 1918 jusqu'à la mise en vigueur du présent Traité, par un juge ou un tribunal des Puissances ayant occupé Constantinople, ensemble les mesures d'exécution, seront reconnues par le gouvernement turc.

Il en est de même des décisions rendues par la Commission

arrangements made, and all measures taken in Turkey since October 30, 1918, until the coming into force of the present Treaty, by the authorities of Powers who have been in occupation of Constantinople, is hereby confirmed, and especially in so far as concerns the public administration including police, as well as the property, rights and interests of their nationals, of foreigners or Turkish nationals, and the relations of either with the Turkish authorities.

Similar confirmation is given to the orders issued and the measures taken by the authorities of the said Powers in agreement with the Turkish authorities, as well as to the orders issued and the measures taken by the Turkish authorities in agreement with the authorities of the said Powers.

No claim by the Turkish Government or Turkish nationals shall lie against the Powers who have been in occupation of Constantinople, or against their nationals or foreigners, on account of the orders and measures above referred to or because of any omissions which may have been committed by the authorities of the said Powers or upon their instructions, relative to the said rights, properties or interests or to the relations between their nationals, foreigners or Turkish nationals with the Turkish authorities.

Article 153.

All judgments passed in Turkey since October 30, 1918, until the entry into force of the present Treaty by any judge or tribunal of any of the Powers who have been in occupation of Constantinople, as well as the measures taken to execute such judgments, shall be recognised by the Turkish Government.

Similar recognition shall be given to the decisions emanating judiciaire mixte provisoire constituée le 8 décembre 1921 par les autorités desdites Puissances d'accord avec le gouvernement impérial ottoman.

Article 154.

Dès la mise en vigueur du présent Traité, la Turquie remettra sans délai aux gouvernements intéressés les archives, registres, plans, titres et documents de toute nature appartenant aux administrations civile, militaire, financière, judiciaire ou autres des territoires transférés. Si quelques-uns de ces documents, archives, registres, titres ou plans avaient été déplacés, ils seront restitués par la Turquie, sur la demande du gouvernement intéressé.

Dans la cas où les archives, registres, plans, titres ou documents visés à l'alinéa 1^er^ et n'ayant pas un caractère militaire concerneraient également les administrations turques et où, en conséquence, leur remise ne pourrait avoir lieu sans préjudice pour ces dernières, la Turquie s'engage, sous condition de réciprocité, à en donner communication aux Gouvernements intéressés.

Le gouvernement turc s'engage spécialement à restituer au gouvernement hellénique les registres fonciers locaux ou tous autres registres publics qui concernent la propriété foncière dans les districts de l'ancien Empire ottoman transférés à la Grèce postérieurement à 1912, et que les autorités turques ont enlevés ou pu enlever au moment de l'évacuation.

Dans le cas où la restitution d'un ou de plusiers registres serait impossible en raison de leur disparition ou pour toute autre cause, et s'il est nécessaire à la vérification des titres produits devant les autorités helléniques, le gouvernement

from the Provisional Mixed Judicial Commission constituted on December 8, 1921, by the authorities of the said Powers in agreement with the Imperial Ottoman Government.

Article 154.

On the coming into force of the present Treaty, Turkey will hand over without delay to the Governments concerned archives, registers, plans, title-deeds and documents of every kind belonging to the civil, military, financial, judicial or other forms of administration in the transferred territories. If any one of these documents, archives, registers, title-deeds or plans is missing, it shall be restored by Turkey upon the demand of the Government concerned.

In case the archives, registers, plans, title-deeds or documents referred to in the preceding paragraph, exclusive of those of a military character, concern equally the administrations in Turkey, and cannot therefore be handed over without inconvenience to such administrations, Turkey undertakes, subject to reciprocity, to give access thereto to the Governments concerned.

The Turkish Government undertakes in particular to restore to the Greek Government the local land registers or any other public registers relating to landed property in the districts of the former Turkish Empire transferred to Greece since 1912, which the Turkish authorities removed or may have removed at the time of the evacuation.

In cases where the restitution of one or more of such registers is impossible owing to their disappearance or for any other reason, and whenever necessary for purposes of verification of titles produced to the Greek authorities, the Greek Govern-hellénique aura le droit de prendre toutes copies nécessaires des mentions portées dans le registre foncier central à Constantinople.

Article 155.

Le gouvernement turc s'engage, à charge de réciprocité, à donner aux gouvernements exerçant l'autorité sur les territoires détachés de la Turquie conformément au présent Traité, ou dont le statut actuel est reconnu par la Turquie en vertu du présent Traité, libre accès aux archives et documents de toute nature concernant l'administration des *Vakoufs* dans lesdits territoires ou les *Vakoufs* particuliers, en quelque lieu qu'ils soient situés, et dans lesquels sont intéressées des personnes ou des institutions établies sur lesdits territoires.

Article 156.

La Turquie s'engage à reconnaître et agréer les Conventions passées ou à passer par les autres Puissances contractantes ou certaines d'entre elles avec toute autre Puissance, relativement au commerce des armes.

Article 157.

La Turquie accepte et reconnait comme valables et obligatoires toutes décisions et tous ordres concernant les navires turcs et les marchandises turques, ainsi que toutes décisions et ordres relatifs au payement des frais et rendus par l'une quelconque des juridictions de prises des autres Puissances contractantes et s'engage à ne présenter, au nom de ses nationaux, aucune réclamation relativement à ces décisions ou ordres.

Article 158.

La Convention particulière, conclue le .... 192..... entre la Grèce et la Turquie relativement à l'échange des populations grecques et turques aura

ment shall be entitled to take any necessary copies of the entries in the Central Land Registry at Constantinople.

Article 155.

The Turkish Government undertakes, subject to reciprocity, to afford to the Governments exercising authority over territory detached from Turkey in accordance with the present Treaty, or of which the existing status is recognised by Turkey under the present Treaty, access to any archives and documents of every description relating to the administration of Wakfs in such territory, or to particular Wakfs, wherever situated, in which persons or institutions established in such territory are interested.

Article 156.

Turkey undertakes to recognise and to accept the Conventions made or to be made by the other Contracting Powers or any of them with any other Power as to the traffic in arms.

Article 157.

Turkey accepts and recognises as valid and binding all decrees and orders concerning Turkish ships and goods and all orders relating to the payment of costs made by any Prize Court of any of the other Contracting Powers, and undertakes not to put forward any claim arising out of such decrees or orders on behalf of any Turkish national.

Article 158.

The separate Convention concluded on .... 192 ...... between Greece and Turkey, relating to the exchange of the Greek and Turkish populations, will have as entre ces deux Hautes Parties Contractantes même force et valeur que si elle figurait dans le présent Traité.

Article 159.

La Belgique, la Pologne, le Portugal et l'Etat tchéco-slovaque, dont les nations ont, au cours de la guerre 1914-1918, combattu aux côtés des Puissances concluant aujourd'hui la paix avec la Turquie, seront admises à accéder aux dispositions d'ordre économique et financier du présent Traité.

Cette accession, qui rétablira en tant que de besoin l'état de paix entre la Puissance accédante et la Turquie, sera notifiée au gouvernement de la République française, qui en adressera une copie authentique aux Puissances signataires du présent Traité.

Article 160.

Le présent Traité sera ratifié dans le délai le plus court que possible.

Les ratifications seront déposées à Paris.

Le gouvernement japonais aura la faculté de se borner à faire connaître au gouvernement de la République française par son représentant diplomatique à Paris que la ratification a été donnée et, dans ce cas, il devra transmettre l'instrument aussitôt que faire se pourra.

Chacune des Puissances signataires ratifiera par un seul et même instrument le présent Traité, ensemble les autres actes signés par elle et prévus dans l'Acte Final de la Conférence de Lausanne, en tant que ceux-ci requièrent une ratification.

Un premier procès-verbal de dépôt sera dressé dès que la Turquie d'une part et l'Empire britannique, la France, l'Italie, le Japon ou trois d'entre eux d'autre

between these two High Contracting Parties the same force and effect as if it formed part of the present Treaty.

Article 159.

Belgium, Poland, Portugal and the Czecho-Slovak State, whose peoples, during the war of 1914-1918 fought on the side of the Powers now concluding peace with Turkey, may accede to the economic and financial provisions of the present Treaty.

Such accession will re-establish, if this has not already been done, a state of peace between the acceding Power and Turkey. The accession will be notified to the Government of the French Republic, which will transmit a certified copy of the notification to the Powers signatory of the present Treaty.

Article 160.

The present Treaty shall be ratified as soon as possible.

The ratifications shall be deposited at Paris.

The Japanese Government will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris when their ratification has been given; in that case, they must transmit the instrument of ratification as soon as possible.

Each of the signatory Powers will ratify by one single instrument the present Treaty and the other instruments signed by it and mentioned in the Final Act of the Conference of Lausanne in so far as these require ratification.

A first *procès-verbal* of the deposit of ratifications shall be drawn up as soon as Turkey on the one hand, and the British Empire, France, Italy and Japan, part, auront déposé l'instrument de leur ratification.

Dès la date de ce premier procès-verbal, le Traité entrera en vigueur entre les Hautes Parties Contractantes qui l'auront ainsi ratifié. Il entrera ensuite en vigueur pour les autres Puissances à la date du dépôt de leur ratification.

Le gouvernement français remettra à toutes les Puissances signataires une copie authentique des procès-verbaux de dépôt des ratifications.

En foi de quoi les Plénipotentiaires susnommés ont signé le présent Traité.

Fait à Lausanne le.................. 192... en un seul exemplaire qui sera déposé dans les archives du gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.

....

....

(Signatures et cachets.)

PROJET DE DECLARATION.

Les gouvernements (britannique, français, italien, . . .) reconnaissant l'intérêt de la mesure d'apaisement qui a fait l'objet de l'article 5 de la Convention intervenue entre le gouvernement hellénique et le gouvernement turc pour la restitution des otages civils et l'échange des prisonniers de guerre, se déclarent disposés à adopter, moyennant réciprocité de la part du gouvernement turc, les mêmes dispositions au bénéfice des prisonniers de guerre et internés civils turcs qu'ils pourraient encore détenir à l'exception de ceux qui auraient commis des crimes et délits de droit commun postérieurement à la date du 20 novembre 1922.

or any three of them, on the other hand, have deposited the instrument of their ratification.

From the date of this first *procès-verbal* the Treaty will come into force between the High Contracting Parties who have thus ratified it. Thereafter it will come into force for the other Powers at the date of the deposit of their ratifications.

The French Government will transmit to all the Signatory Powers a certified copy of the *procès-verbaux* of the deposit of ratifications.

In Faith Whereof the abovenamed Plenipotentiaries have signed the present Treaty.

Done at Lausanne, the........... ...., 192......, in a single copy which will be deposited in the archives of the Government of the French Republic, which will transmit a certified copy to each of the Signatory Powers.

DRAFT DECLARATION.

The (British, French, Italian ....) Governments acknowledging the importance of the measure of pacification which forms the subject of Article 5 of the Convention concluded between the Greek Government and the Turkish Government for the return of civilian hostages and for the exchange of prisoners of war, declare that they are prepared to adopt, subject to reciprocity on the part of the Turkish Government, the same measures for the benefit of such Turkish prisoners of war and interned civilians as may still be in their hands, with the exception of those who may have committed crimes and offences against the ordinary law since 20th November, 1922.

No. 42.

Document No. II. of Final Act.

PROJET DE CONVENTION CONCERNANT LE REGIME DES DETROITS.

L'Empire Britannique, la France, l'Italie, le Japon, la Bulgarie, la Grece, la Roumanie, la Russie, l'Etat Serbe-Croate-Slovene et la Turquie,

Soucieux d'assurer dans les Détroits à toutes les nations la liberté de passage et de navigation entre la Mer Méditerranée et la Mer Noire, conformément au principe consacré par l'Article 21 du Traité de paix en date de ce jour ;

Et considérant que le maintien de cette liberté est nécessaire à la paix générale et au commerce du monde ;

Ont résolu de conclure une Convention à cet effet et ont nommé pour leurs Plénipotentiaires respectifs, savoir :

....

....

....

Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions ci-après.

Article 1.

Les Hautes Parties Contractantes sont d'accord pour reconnaître et déclarer le principe de la liberté de passage et de navigation par mer et dans les airs dans le Détroit des Dardanelles, la Mer de Marmara et le Bosphore, ci-après compris sous le dénomination générale de "Détroits."

Article 2.

Le passage et la navigation des navires et aéronefs de commerce et des bâtiments et aéronefs de guerre dans les Détroits en temps de paix et en temps de guerre

DRAFT STRAITS CONVENTION.

The British Empire, France, Italy, Japan, Bulgaria, Greece, Roumania, Russia, the Serb-Croat-Slovene State and Turkey being desirous of ensuring in the Straits freedom of transit and navigation between the Mediterranean Sea and the Black Sea for all nations, in accordance with the principle laid down in Article 21 of the Treaty of Peace of even date :

And considering that the maintenance of that freedom is necessary to the general peace and the commerce of the world ;

Have decided to conclude a convention to this effect and have appointed as their respective Plenipotentiaries the following :—

Who having produced their full powers found in good and due form have agreed as follows :—

Article 1.

The High Contracting Parties agree to recognise and declare the principle of freedom of transit and of navigation by sea and by air in the Straits of the Dardanelles, the Sea of Marmora and the Bosphorus, hereinafter comprised under the general term of the "Straits."

Article 2.

The transit and navigation of commercial vessels and aircraft and of war vessels and aircraft in the Straits in time of peace and in time of war shall henceforth be seront dorénavant réglés par les dispositions de l'annexe ci-jointe.

ANNEXE.

RÈGLES POUR LE PASSAGE DES NAVIRES ET AÉRONEFS DE COMMERCE ET DES BÂTIMENTS ET AÉRONEFS DE GUERRE DANS LES DÉTROITS.

Paragraphe 1.—*Navires de commerce, y compris les navires hôpitaux, yachts et bateaux de pêche, ainsi que les aéronefs non militaires.*

(a) *en temps de paix:*

Complète liberté de navigation et de passage, de jour et de nuit, quels que soient le pavillon et le chargement, sans aucune formalité, taxe ou charge quelconques, sous réserves des dispositions sanitaires internationales, et si ce n'est pour services directement rendus, telles que taxes de pilotage, phares, remorquage ou autres de même nature, et sans qu'il soit porté atteinte aux droits exercés à cet égard par les services et entreprises actuellement concédés par le gouvernement turc.

Pour faciliter la perception de ces droits, les navires de commerce franchissant les Détroits devront signaler aux postes indiqués par le Gouvernement turc, leur nom, leur nationalité, leur tonnage et leur destination.

Le pilotage reste facultatif.

(b) *en temps de guerre, la Turquie restant neutre:*

Complète liberté de navigation et de passage, de jour et de nuit, dans les mêmes conditions que ci-dessus. Les droits et devoirs de la Turquie, comme Puissance neutre, ne sauraient l'autoriser à prendre aucune mesure susceptible d'entraver la navigation dans les Détroits, dont les eaux et l'atmosphère doivent rester entièrement libres, en temps de guerre la Turquie étant neutre, aussi bien qu'en temps de paix.

Le pilotage reste facultatif.

regulated by the provisions of the attached annex.

ANNEX.

RULES FOR THE PASSAGE OF COMMERCIAL VESSELS AND AIRCRAFT AND OF WAR VESSELS AND AIRCRAFT THROUGH THE STRAITS.

Paragraph 1.—*Merchant Vessels, including Hospital Ships, Yachts and Fishing Vessels and Non-Military Aircraft.*

(a) *In Time of Peace.*

Complete freedom of navigation and passage by day and by night under any flag and with any kind of cargo, without any formalities, or tax, or charge whatever (subject however to international sanitary provisions), unless for services directly rendered, such as pilotage, light, towage or other similar charges, and without prejudice to the rights exercised in this respect by the services and undertakings now operating under concessions granted by the Turkish Government.

To facilitate the collection of these dues, merchant vessels passing the Straits will communicate to stations appointed by the Turkish Government their name, nationality, tonnage and destination.

Pilotage remains optional.

(b) *In Time of War, Turkey being Neutral.*

Complete freedom of navigation and passage by day and by night under the same conditions as above. The duties and rights of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above which, must remain entirely free in time of war, Turkey being neutral, just as in time of peace.

Pilotage remains optional.

(c) *en temps de guerre, la Turquie étant belligérante:*

Liberté de navigation pour les navires neutres et les aéronefs non militaires neutres, si le navire ou l'aéronef n'assistent pas l'ennemi notamment en transportant de la contrebande, des troupes ou des ressortissants ennemis. La Turquie aura le droit de visiter lesdits navires et aéronefs, et, à cette fin, les aéronefs devront atterrir ou amerrir dans telles zones qui seront fixées et aménagées à cet effet par la Turquie. Il n'est pas porté atteinte aux droits de la Turquie d'appliquer aux navires ennemis les mesures admises par le droit international.

La Turquie aura pleine faculté de prendre telles dispositions qu'elle jugera nécessaire pour empêcher les navires ennemis d'utiliser les Détroits. Toutefois, ces dispositions ne seront pas de nature à interdire le libre passage des navires neutres, et, à cet effet, la Turquie s'engage à fournir à ceux-ci les instructions ou pilotes nécessaires.

Paragraphe 2.—Bâtiments de guerre, y compris les navires auxiliaires, les transports de troupes, les bâtiments porte-avions, et aéronefs militaires.

(a) *en temps de paix:*

Complète liberté de passage de jour et de nuit, quel que soit le pavillon, sans aucune formalité, taxe ou charge quelconques, mais sous les réserves ci-après concernant le total des forces.

La force maxima qu'une Puissance pourra faire passer par les Détroits à destination de la Mer Noire, ne dépassera pas celle de la flotte la plus forte appartenant aux Puissances riveraines de la Mer Noire et existant dans cette mer au moment du passage; toutefois, les Puissances se réservent le

(c) *In Time of War, Turkey being a Belligerent.*

Freedom of navigation for neutral vessels and neutral non-military aircraft, if the vessel or aircraft in question does not assist the enemy, particularly by carrying contraband, troops or enemy nationals. Turkey will have the right to visit and search such vessels and aircraft, and for this purpose aircraft are to land on the ground or on the sea in such areas as are specified and prepared for this purpose by Turkey. The rights of Turkey to apply to enemy vessels the measures allowed by international law are not affected.

Turkey will have full power to take such measures as she may consider necessary to prevent enemy vessels from using the Straits. These measures, however, are not to be of such a nature as to prevent the free passage of neutral vessels and Turkey agrees to provide such vessels with either the necessary instructions or pilots for the above purpose.

Paragraph 2.—War Vessels, including Fleet Auxiliaries, Troopships, Aircraft Carriers, and Military Aircraft.

(a) *In Time of Peace.*

Complete freedom of passage by day and by night under any flag, without any formalities, or tax, or charge whatever, but subject to the following restrictions as to the total force:—

The maximum force which any one Power may send through the Straits into the Black Sea is not to be greater than that of the most powerful fleet of the littoral Powers of the Black Sea existing in that sea at the time of passage; but with the proviso that the Powers reserve to themselves

droit d'envoyer en Mer Noire en tout temps et en toute circonstance une force n'excédant pas trois bâtiments dont aucun ne dépassera 10.000 tonnes.

Aucune responsabilité n'incombera à la Turquie en ce qui concerne le nombre des bâtiments qui traversent les Detroits.

Pour permettre l'observation de la présente règle, la Commission des Détroits prévue à l'article 10 demandera à chaque Puissance riveraine de la Mer Noire le 1er Janvier et le 1er Juillet de chaque année le nombre de cuirassés, de croiseurs de bataille, de bâtiments porte-avions, de croiseurs, de destroyers, de sous-marins, ou de tous autres types de bâtiments ainsi que d'aéronefs navals, qu'elle possède en Mer Noire, en distinguant les bâtiments armés des bâtiments à effectifs réduits, en réserve, en réparations ou modification.

La Commission des Détroits informera alors les Puissances intéressées du nombre de cuirassés, croiseurs de bataille, bâtiments porte-avions, croiseurs, destroyers, sous-marins, aéronefs et éventuellement d'unités d'autres types, que comprend la force navale la plus forte dans la Mer Noire; en outre, tout changement résultant soit de l'entrée en Mer Noire, soit de la sortie de la Mer Noire, d'un bâtiment appartenant à ladite force sera immédiatement porté à la connaissance des Puissances intéressées.

Le nombre et la type des bâtiments armés sera seul pris en considération pour le calcul d'une force navale à faire passer par les Détroits à destination de la Mer Noire.

(b) *en temps de guerre, la Turquie étant neutre:*

Complète liberté de passage de jour et de nuit, quel que soit le

the right to send into the Black Sea, at all times and under all circumstances, a force of not more than three ships, of which no individual ship shall exceed 10,000 tons.

Turkey has no responsibility in regard to the number of foreign war vessels which pass through the Straits.

In order to enable the above rule to be observed, the Straits Commission provided for in Article 10 will, on the 1st January and the 1st July of each year, enquire of each Black Sea littoral Power the number of each of the following classes of vessel which such Power possesses in the Black Sea: Battleships, battle-cruisers, aircraft-carriers, cruisers, destoyers, submarines, or other types of vessels as well as naval aircraft; distinguishing between the ships which are in active commission and the ships with reduced complements, the ships in reserve and the ships undergoing repairs or alterations.

The Straits Commission will then inform the Powers concerned that the strongest naval force in the Black Sea comprises: Battleships, battle-cruisers, aircraft carriers, cruisers, destroyers, submarines, aircraft and units of other types which may exist. The Straits Commission will also immediately inform the Powers concerned when, owing to the passage into or out of the Black Sea of any ship of the strongest Black Sea force, any alteration in that force has taken place.

The naval force that may be sent through the Straits into the Black Sea will be calculated on the number and type of the ships of war in active commission only.

(b) *In Time of War, Turkey being a Neutral.*

Complete freedom of passage by day and by night under any pavillon, sans aucune formalité, taxe ou charge quelconques, sous les mêmes limitations que celles prévues au paragraphe 2 (a).

Toutefois, ces limitations ne sont pas applicables aux Puissances belligérantes au préjudice de leurs droits de belligérants en Mer Noire.

Les droits et devoirs de la Turquie comme Puissance neutre ne sauraient l'autoriser à prendre aucune mesure susceptible d'entraver la navigation dans les Détroits, dont les eaux et l'atmosphère doivent rester entièrement libres, en temps de guerre, la Turquie étant neutre, aussi bien qu'en temps de paix.

Il sera interdit aux bâtiments de guerre et aéronefs militaires des belligérants de procéder à aucune capture, d' exercer le droit de visite, et de se livrer à aucun autre acte d'hostilité dans les Détroits.

En ce qui concerne le ravitaillement et les réparations, les bâtiments de guerre seront régis par les dispositions de la Convention XIII de La Haye 1907, concernant la neutralité maritime.

En attendant la conclusion d'une Convention internationale établissant les règles de neutralité pour les aéronefs, les aéronefs militaires jouiront dans les Détroits d'un traitement analogue à celui accordé aux bâtiments de guerre par la Convention XIII de La Haye 1907.

(c) *en temps de guerre, la Turquie étant belligérante:*

Complète liberté de passage pour les bâtiments de guerre neutres sans aucune formalité, taxe ou charge quelconques, mais sous les mêmes limitations que celles prévues au paragraphe 2 (a).

Les mesures à prendre par la Turquie pour empêcher les bâtiments et aéronefs ennemis d'utiliser les Détroits ne seront

flag, without any formalities, or tax, or charge whatever, under the same limitations as in paragraph 2 (a).

However, these limitations will not be applicable to any belligerent Power to the prejudice of its belligerent rights in the Black Sea.

The rights and duties of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above, which must remain entirely free in time of war, Turkey being neutral, just as in time of peace.

Warships and military aircraft of belligerents will be forbidden to make any capture, to exercise the right of visit and search, or to carry out any other hostile act in the Straits.

As regards re-victualling and carrying out repairs, war vessels will be subject to the terms of the Thirteenth Hague Convention of 1907, dealing with maritime neutrality.

Military aircraft will receive in the Straits similar treatment to that accorded under the Thirtenth Hague Convention of 1907 to warships, pending the conclusion of an international Convention establishing the rules of neutrality for aircraft.

(c) *In Time of War, Turkey being a Belligerent.*

Complete freedom of passage for neutral warships, without any formalities, or tax, or charge whatever, but under the same limitations as in paragraphs 2 (a).

The measures taken by Turkey to prevent enemy ships and aircraft from using the Straits are not to be of such a nature as to

pas de nature à interdire le libre passage des bâtiments et aéronefs neutres et à cet effet la Turquie s'engage à fournir auxdits bâtiments et aéronefs les instructions ou pilotes nécessaires.

Les aéronefs militaires neutres effectueront le passage des Détroits à leurs risques et périls et seront soumis au droit d'enquête quant à leur caractère. A cette fin les aéronefs devront atterrir ou amerrir dans telles zones qui seront fixées et aménagées à cet effet par la Turquie.

Paragraphe 3.—(*a*) Les sous-marins des Puissances en état de paix avec la Turquie ne devront traverser les Détroits qu'en surface.

(*b*) Le commandant d'une force navale étrangère venant soit de la Méditerranée, soit de la Mer Noire, communiquera, sans avoir à s'arrêter, à une station de signaux à l'entrée des Dardanelles ou du Bosphore le nombre et le nom des bâtiments sous ses ordres qui doivent entrer dans les Détroits.

La Turquie fera connaître ces stations de signaux, et jusqu'à ce que cette notification soit faite, la liberté de passage dans les Détroits pour les bâtiments de guerre étrangers n'en subsistera pas moins, l'entrée dans les Détroits ne devant pas être retardée.

(*c*) L'autorisation pour les aéronefs militaires et non militaires de survoler les Détroits dans les conditions prévues par les présentes règles implique pour lesdits aéronefs :

(1°) la liberté de survoler une bande de territoire de cinq kilomètres au-dessus de chaque côté des parties resserrées des Détroits ;

(2°) la faculté, en cas de panne, d'atterrir sur le littoral ou d'amerrir dans les eaux territoriales de la Turquie.

prevent the free passage of neutral ships and aircraft, and Turkey agrees to provide the said ships and aircraft with either the necessary instructions or pilots for the above purpose.

Neutral military aircraft will make the passage of the Straits at their own risk and peril, and will submit to investigation as to their character. For this purpose aircraft are to land on the ground or on the sea in such areas as are specified and prepared for this purpose by Turkey.

Paragraph 3.

(a) The passage of the Straits by submarines of Powers at peace with Turkey must be made on the surface.

(b) The officer in command of a foreign naval force, whether coming from the Mediterranean or the Black Sea, will communicate, without being compelled to stop, to a signal station at the entrance to the Dardanelles, or Bosphorus, the number and the names of vessels under his orders which are entering the Straits.

These signal stations shall be notified from time to time by Turkey ; until such signal stations are notified, the freedom of passage for foreign war vessels in the Straits shall not thereby be prejudiced, nor shall their entry into the Straits be for this reason delayed.

(c) The right of military and non-military aircraft to fly over the Straits under the conditions laid down in the present rules, necessitates for aircraft—

(i) Freedom to fly over a strip of territory of about five kilom. each side of the narrow parts of the Straits.

(ii) Liberty, in the event of a forced landing, to land on the coast or on the sea in the territorial waters of Turkey.

Paragraphe 4.—*Limitation de la durée de passage des bâtiments de guerre.*

En aucun cas les bâtiments de guerre en transit dans les Détroits ne devront, sauf en cas d'avaries ou de fortune de mer, y séjourner au-delà du temps qui leur est nécessaire pour effectuer leur passage, y compris la durée du mouillage pendant la nuit si la sécurité de la navigation l'exige.

Paragraphe 5.—*Séjour dans les ports des Détroits et de la Mer Noire.*

(*a*) Les paragraphes 1, 2 et 3 de la présente Annexe s'appliquent au passage des navires, bâtiments de guerre et aéronefs au travers et au-dessus des Détroits et ne portent pas atteinte au droit de la Turquie d'édicter tels règlements qu'elle jugera nécessaires, en ce qui concerne le nombre des bâtiments de guerre et aéronefs militaires d'une même Puissance, qui pourront visiter simultanément les ports et les aérodromes turcs, ainsi que la durée de leur séjour.

(*b*) Les Puissances riveraines de la Mer Noire auront le même droit en ce qui concerne leurs ports et leurs aérodromes.

(*c*) Les bâtiments légers, que les Puissances actuellement représentées à la Commission européenne du Danube entretiennent comme stationnaires aux embouchures de ce fleuve et jusqu'à Galatz, s'ajouteront à ceux prévus au paragraphe 2 et pourront être remplacés en cas de besoin.

Paragraphe 6.—*Dispositions spéciales relatives à la protection sanitaire.*

Les bâtiments de guerre ayant à bord des cas de peste, de choléra ou de typhus ou en ayant eu depuis 7 jours, ainsi que les bâtiments ayant quitté un port

Paragraph 4. — *Limitation of Time of Transit for Warships.*

In no event shall warships in transit through the Dardanelles, except in the event of damage or peril of the sea, remain therein beyond the time which is necessary for them to effect their passage, including the time of anchorage during the night if rendered necessary for safety of navigation.

Paragraph 5.—*Stay in the Ports of the Straits and of the Black Sea.*

(a) Paragraphs 1, 2 and 3 of this Annex apply to the passage of vessels, warships and aircraft through and over the Straits and do not affect the right of Turkey to make such regulations as she may consider necessary regarding the number of men-of-war and military aircraft of any one Power which may visit Turkish ports or aerodromes at one time, and the duration of their stay.

(b) Littoral Powers of the Black Sea will also have a similar right as regards their ports and aerodromes.

(c) The light vessels which Powers at present represented on the European Commission of the Danube maintain as *stationnaires* at the mouths of that river as far up as Galatz will be regarded as additional to men-of-war referred to in paragraph 2, and may be replaced in case of need.

Paragraph 6.—*Special provisions relating to sanitary protection.*

Warships which have on board cases of plague, cholera or typhus, or which have had such cases on board during the last seven days, and warships which

contaminé depuis moins de cinq fois 24 heures, devront passer les Détroits en quarantaine et appliquer par les moyens du bord les mesures prophylactiques nécessaires pour éviter toute possibilité de contamination des Détroits.

Il en sera de même des navires de commerce ayant à bord un médicin et passant en droiture les Détroits sans faire escale ou rompre charge.

Les navires de commerce n'ayant pas de médicin à bord, devront, avant de pénétrer dans les Détroits même s'ils n'y doivent pas faire escale, satisfaire aux prescriptions sanitaires internationales.

Les bâtiments de guerre et les navires de commerce touchant dans un des ports des Détroits, seront soumis dans ce port aux prescriptions sanitaires internationales qui y sont applicables.

Article 3.

En vue de maintenir libres de toute entrave le passage et la navigation dans les Détroits, les mesures stipulées aux articles 4 à 9 seront appliquées à leurs eaux et rives ainsi qu'aux îles qui s'y trouvent ou qui les avoisinent.

Article 4.

Seront démilitarisées les zones et iles désignées ci-après:

(1°) les deux rives du Détroit des Dardanelles et du Détroit du Bosphore sur l'étendue des zones délimitées ci-dessous (voir la carte ci-jointe):

Dardanelles.

Au Nord-Ouest, presqu'île de Gallipoli et région au Sud-Est d'une ligne partant d'un point du golfe de Xerès situé à 4 Km. Nord-Est de Bakla-Burnu aboutissant sur la Mer de Marmara à Kumbaghi et passant au Sud de Kavak (cette localité exclue).

Au Sud-Est, région comprise entre la côte et une ligne tracée à 20 Km. de la côte, partant du cap Eski-Stamboul

have left an infected port since less than five times 24 hours, must pass through the Straits in quarantine and apply by the means on board such prophylactic measures as are necessary to prevent any possibility of the Straits being infected.

The same rule shall apply to merchant ships having a doctor on board and passing straight through the Straits without calling at a port or breaking bulk.

Merchant ships not having a doctor on board shall be obliged to comply with international sanitary rules before entering the Straits, even if they are not to call at a port therein.

Warships and merchant vessels calling at one of the ports in the Straits shall be subject in that port to the international sanitary rules applicable in the port in question.

Article 3.

With a view to maintaining the Straits free from any obstacle to free passage and navigation, the provisions contained in Articles 4 to 9 will be applied to the waters and shores thereof as well as to the islands situated therein, or in the vicinity.

Article 4.

The zones and islands indicated below shall be demilitarised.

1. Both shores of the Straits of the Dardanelles and the Bosphorus over the extent of the zones delimited below (see the attached map).

Dardanelles—

On the north- west, the Gallipoli peninsula and the area south-east of a line traced from a point on the Gulf of Xeros 4 kilometres north-east of Bakla-Burun, reaching the Sea of Marmora at Kumbaghi and passing south of Kavak (this village excluded).

On the south-east, the area included between the coast and a line 20 kilometres from the coast, starting from Cape Eski-en face de Tenedos et aboutissant sur la Mer de Marmara en un point de la côte situé immédiatement au Nord de Karabigha.

Bosphore.

Sans préjudice du régime particulier de Constantinople, article 8.

A l'Est, zone s'étendant jusqu'à une ligne tracée à 15 Km. de la côte orientale du Bosphore.

A l'Ouest, zone s'étendant jusqu'à une ligne tracée à 15 Km. de la côte occidentale du Bosphore.

(2°) toutes les îles de la Mer de Marmara, sauf l'île d'Emir-Ali-Adasi ;

(3°) dans la mer Egée, les îles de Samothrace, Lemnos, Imbros, Tenedos et les îles aux Lapins.

Article 5.

Une Commission, composée de 4 membres respectivement nommés par les Gouvernements de la France, de la Grande-Bretagne, de l'Italie et de la Turquie, se réunira dans les 15 jours après la mise en vigueur de la présente Convention pour fixer sur place les limites des zones prévues à l'article 4 (1°).

Il appartiendra aux Gouvernements représentés dans cette Commission de pourvoir aux indemnités auxquelles pourront avoir droit leurs représentants respectifs.

Tous frais généraux auxquels donnera lieu le fonctionnement de la Commission seront, par parts égales, supportées par les Puissances représentées.

Article 6.

Sous réserve des dispositions de l'article 8 concernant Constantinople, il ne devra y avoir, dans les zones et îles démilitarisées, aucune fortification, aucune installation permanente d'artillerie, d'engins d'action sous-marine autres que les bâtiments sous-marins, ni aucune installation d'aéronautique militaire, ni aucune base navale.

Stamboul opposite Tenedos and reaching the Sea of Marmora at a point on the coast immediately north of Karabigha.

Bosphorus (without prejudice to the special provisions relating to Constantinople contained in Article 8)—

On the east, the area extending up to a line 15 kilometres from the eastern shore of the Bosphorus. *On the west,* the area up to a line 15 kilometres from the western shore of the Bosphorus.

2. All the islands in the Sea of Marmora, with the exception of the islands of Emir Ali.

3. In the Ægean Sea, the islands of Samothrace, Lemnos, Imbros, Tenedos and Rabbit Islands.

Article 5.

A Commission composed of four representatives appointed respectively by the Governments of France, Great Britain, Italy and Turkey shall meet within 15 days of the coming into force of the present Convention to determine on the spot the boundaries of the zone laid down in Article 4 (paragraph 1).

The Governments represented on that Commission will pay the salaries of their respective representatives.

Any general expenses incurred by the Commission shall be borne in equal shares by the Powers represented thereon.

Article 6.

Subject to the provisions of Article 8 concerning Constantinople, there shall exist, in the demilitarised zones and islands, no fortifications, no permanent artillery organisation, no submarine engines of war, other than submarine vessels, no military aerial organisation, and no naval base.

Aucune force armée ne devra y stationner en dehors des forces de police et de gendarmerie qui sont nécessaires au maintien de l'ordre, et dont l'armement ne comportera que le revolver, le sabre, le fusil et quartre fusils mitrailleurs par cent hommes à l'exclusion de toute artillerie.

Dans les eaux territoriales des zones et îles démilitarisées, il ne devra y avoir aucun engin d'action sous-marine, autre que des bâtiments sous-marins.

Nonobstant les alinéas qui précèdent, la Turquie gardera le droit de faire passer en transit ses forces armées dans les zones et îles démilitarisées du territoire turc, ainsi que dans leurs eaux territoriales où la flotte turque aura le droit de mouiller.

En outre, en ce qui concerne les Détroits, le Gouvernement turc aura la faculté de faire observer au moyen d'avions ou de ballons, la surface et le fond de la mor. Les aéronefs turcs pourront toujours survoler les eaux des Détroits et les zones démilitarisées du territoire turc et y atterrir ou amerrir partout en toute liberté.

La Turquie et la Grèce pourront également, dans les zones et îles démilitarisées et dans leurs eaux territoriales, effectuer les mouvements de personnel nécessités par l'instruction, hors de ces zones et îles, des hommes qui y seront recrutés.

La Turquie et la Grèce auront la liberté d'organiser dans lesdites zones et îles de leurs territoires respectifs, tout système d'observation et de communications télégraphiques, téléphoniques et optiques. La Grèce pourra faire passer sa flotte dans les eaux territoriales des îles grecques démilitarisées, mais ne pourra user de ces eaux comme base d'opérations contre la Tur-

No armed forces shall be stationed in the demilitarised zones and islands except the police and gendarmerie forces necessary for the maintenance of order; the armament of the forces will be composed only of revolvers, swords, rifles and four Lewis guns per hundred men, and will exclude any artillery.

In the territorial waters of the demilitarised zones and islands, there shall exist no submarine engines of war other than submarine vessels.

Notwithstanding the preceding paragraphs Turkey will retain the right to transport her armed forces through the demilitarised zones and islands of Turkish territory, as well as through their territorial waters, where the Turkish fleet will have the right to anchor.

Moreover, in so far as the Straits are concerned, the Turkish Government shall have the right to observe by means of aeroplanes or balloons both the surface and the bottom of the sea. Turkish aeroplanes will always be able to fly over the waters of the Straits and the demilitarised zones of Turkish territory, and will have full freedom to alight therein either on land or on sea.

In the demilitarised zones and islands and in their territorial waters, Turkey and Greece shall similarly be entitled to effect such movements of personnel as are rendered necessary for the instruction outside these zones and islands of the men recruited therein.

Turkey and Greece shall have the right to organise in the said zones and islands in their respective territories any system of observation and communication, both telegraphic, telephonic and visual. Greece shall be entitled to send her fleet into the territorial waters of the demilitarised Greek islands, but may not use these waters as a base of operations against Turkey nor for any quie ou pour une concentration navale ou militaire dans ce but.

Article 7.

Aucun engin d'action sous-marine, autre que les bâtiments sous-marins, ne pourra être installé dans les eaux de la Mer de Marmara.

Le Gouvernement turc n'installera ni dans la région côtière européenne de la Mer de Marmara, ni dans la partie de la région côtière d'Anatolie située à l'Est de la zone démilitarisée du Bosphore, jusqu'à Darije, aucune batterie permanente de canons ou de lance-torpilles, susceptible d'entraver le passage des Détroits.

Article 8.

A Constantinople, y compris ici Stamboul, Péra, Galata, Scutari, ainsi que les îles des Princes, et dans ses environs immédiats, une garnison de 12.000 hommes au maximum pourra être stationnée pour les besoins de la capitale. Un arsenal et une base navale pourront être maintenus à Constantinople.

Article 9.

Si, en cas de guerre, la Turquie ou la Grèce, usant de leur droit de Puissances belligérantes, étaient amenées à apporter des modifications à l'état de démilitarisation prévu ci-dessus, elles seraient tenues de rétablir, dès la conclusion de la paix, le régime prévu par la présente Convention.

Article 10.

Il sera institué à Constantinople une Commission internationale composée comme il est dit à l'article 12, qui prendra le titre de "Commission des Détroits."

Article 11.

La Commission exercera ses attributions sur les eaux des Détroits.

Article 12.

La Commission sera composée, sous la présidence d'un Représentant de la Turquie, de Repré-

military or naval concentration for this purpose.

Article 7.

No submarine engines of war other than submarine vessels shall be installed in the waters of the Sea of Marmora.

The Turkish Government shall not instal any permanent battery or torpedo tubes, capable of interfering with the passage of the Straits, in the coastal zone of the European shore of the Sea of Marmora or in the coastal zone on the Anatolian shore situated to the east of the demilitarised zone of the Bosphorus as far as Darije.

Article 8.

At Constantinople, including for this purpose Stamboul, Pera, Galata, Scutari, as well as Princes' Islands, and in the immediate neighbourhood of Constantinople, there may be maintained for the requirements of the Capital, a garrison with a maximum strength of 12,000 men. An arsenal and naval base may also be maintained at Constantinople.

Article 9.

If, in case of war, Turkey, or Greece, in pursuance of their belligerent rights, should modify in any way the provisions of demilitarization prescribed above, they will be bound to re-establish as soon as peace is concluded the régime laid down in this Convention.

Article 10.

There shall be constituted at Constantinople an International Commission composed in accordance with Article 12 and called the "Straits Commission."

Article 11.

The Commission will exercise its functions over the waters of the Straits.

Article 12.

The Commission shall be composed of a representative of Turkey, who shall be President, sentants de la France, de la Grande-Bretagne, de l'Italie, du Japon, de la Bulgarie, de la Grèce, de la Roumanie, de l'Etat Serbe-Croate-Slovène et de la Russie, en tant que Puissances signataires de la présente Convention.

L'adhésion à la présente Convention comportera pour les Etats-Unis le droit d'avoir également un Représentant dans la Commission.

Le même droit sera réservé dans les mêmes conditions aux Etats indépendants riverains de la Mer Noire, non mentionnés dans le premier alinéa du présent article.

Article 13.

Il appartiendra aux Gouvernements représentés à la Commission de pourvoir aux indemnités auxquelles pourront avoir droit leurs Représentants. Toutes dépenses supplémentaires de la Commission seront supportées par lesdits Gouvernements dans la proportion fixée pour la répartition des frais de la Société des Nations.

Article 14.

La Commission sera chargée de s'assurer que sont dûment observées les dispositions concernant le passage des bâtiments de guerre et aéronefs militaires, dispositions faisant l'objet des paragraphes 2, 3 et 4 de l'annexe jointe à l'article 2.

Article 15.

La Commission des Détroits exercera sa mission sous les auspices de la Société des Nations à laquelle elle adressera chaque année un rapport rendant compte de l'accomplissement de sa mission et fournissant, par ailleurs, tous renseignements utiles au point de vue du commerce et de la navigation ; à cet effet, la Commission se mettra en relations avec les services du Governement turc s'occupant de la navigation dans les Détroits.

and representatives of France, Great Britain, Italy, Japan, Bulgaria, Greece, Roumania, the Serb-Croat-Slovene State, and of Russia, as being signatory powers of the present Convention.

The United States of America, in the event of their adhering to the present Convention, will also be entitled to have one representative on the Commission.

Under the same conditions the independent littoral States of the Black Sea, which are not mentioned in the first paragraph of the present article, will possess the same right.

Article 13.

The Governments represented on the Commission will pay the salaries of their representatives. Any incidental expenditure incurred by the Commission will be borne by the said Governments in the proportion laid down for the division of the expenses of the League of Nations.

Article 14.

It will be the duty of the Commission to see that the provisions relating to the passage of warships and military aircraft are carried out ; these provisions are laid down in paragraphs 2, 3 and 4 of the Annex attached to Article 2.

Article 15.

The Straits Commission will carry out its functions under the auspices of the League of Nations and will address to the League an annual report giving an account of its activities, and furnishing all information which may be useful in the interests of commerce and navigation ; with this object in view the Commission will place itself in touch with the departments of the Turkish Government dealing with navigation through the Straits.

Article 16.

Il appartiendra à la Commission d'élaborer les règlements qui seraient nécessaires à l'accomplissement de sa mission.

Article 17.

Les dispositions de la présente Convention ne porteront pas atteinte au droit de la Turquie de faire circuler librement sa flotte lans les eaux turques.

Article 18.

Désireuses que la démilitarisation des Détroits et des zones avoisinantes ne devienne pas, au point de vue militaire, une cause de danger injustifié pour la Turquie et que des actes de guerre ne viennent pas mettre en péril la liberté des Détroits ou la sécurité des zones démilitarisées, les Hautes Parties Contractantes conviennent des dispositions suivantes :

Si une violation des dispositions sur la liberté de passage, une attaque inopinée, ou quelque acte de guerre ou menace de guerre venaient à mettre en péril la liberté de la navigation des Détroits ou la sécurité des zones démilitarisées, les Hautes Parties Contractantes et dans tous les cas la France, la Grande-Bretagne, l'Italie et le Japon les empêcherent conjointement par tous los moyens que le Conseil de la Société des Nations décidera à cet effet.

Dès que les actes ayant motivé l'action prévue par l'alinéa qui précède auront pris fin, le statut des Détroits tel qu'il est réglé par les dispositions de la présente Convention sera de nouveau strictement appliqué.

La présente disposition, qui constitue une partie intégrante de celles qui sont relatives à la démilitarisation et à la liberté des Détroits, ne porte pas atteinte aux droits et obligations que les Hautes Parties Contractantes peuvent avoir en vertu du Pacte de la Société des Nations.

Article 16.

It will be the duty of the Commission to prescribe such regulations as may be necessary for the accomplishment of its task.

Article 17.

The terms of the present Convention will not infringe the right of Turkey to move her fleet freely in Turkish waters.

Article 18.

The High Contracting Parties, desiring to secure that the demilitarization of the Straits and of the contiguous zones shall not constitute an unjustifiable danger to the military security of Turkey and that no act of war should imperil the freedom of the Straits or the safety of the demilitarized zones, agree as follows:—

Should the freedom of navigation of the Straits or the security of the demilitarized zones be imperilled by a violation of the provisions relating to freedom of passage, or by a surprise attack or some act of war or threat of war, the High Contracting Parties and in any case France, Great Britain, Italy and Japan, acting in conjunction will meet this violation, attack, or other act of war or threat of war, by all the means that the Council of the League of Nations may decide for this purpose.

So soon as the circumstance which may have necessitated the action provided for in the preceding paragraph shall have ended, the régime of the Straits as laid down by the terms of the present Convention shall again be strictly applied.

The present provision, which forms an integral part of those relating to the demilitarization and to the freedom of the Straits, does not prejudice the rights and obligations of the High Contracting Parties under the Covenant of the League of Nations.

Article 19.

Les Hautes Parties Contractantes feront tous leurs efforts pour amener les Puissances non signataires à adhérer à la présente Convention.

Cette adhésion sera signifiée, par la voie diplomatique, au Gouvernement de la République française et par celui-ci à tous les Etats signataires ou adhérents. Elle portera effet à dater du jour de la signification au Gouvernement français.

Article 20.

La présente Convention sera ratifiée.

Les ratifications en seront déposées à Paris aussitôt que faire se pourra.

Elle entrera en vigueur dans les mêmes conditions que le Traité de Paix en date de ce jour; pour les Puissances non signataires de ce Traité, qui à ce moment n'auraient pas encore ratifié la présente Convention, celle-ci entrera en vigueur au fur et à mesure du dépôt de leurs ratifications, qui sera notifié aux autres Puissances contractantes par le Gouvernement de la République française.

En foi de quoi les Plénipotentiaires susnommés ont signé la présente Convention.

Fait à Lausanne, le .... 192...... en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.

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(Signatures et cachets.)

Article 19.

The High Contracting Parties will use every possible endeavour to induce non-signatory Powers to adhere to the present Convention.

This adherence will be notified through the diplomatic channel to the Government of the French Republic, and by that Government to all signatory or adhering States. The adherence will take effect as from date of notification to the French Government.

Article 20.

The present Convention shall be ratified. The ratifications shall be deposited at Paris as soon as possible.

The Convention will come into force in the same way as the Treaty of Peace of even date.

In so far as concerns those Powers who are not signatories of this Treaty and who at that date shall not yet have ratified the present Convention, this Convention will come into force as from the date on which they deposit their respective ratifications, which deposit shall be notified to the other Contracting Powers by the French Government.

In faith whereof the above-named Plenipotentiaries have signed the present Convention.

Done at Lausanne the day of 192 in a single copy which will remain deposited in the archives of the Government of the French Republic, and of which authenticated copies will be transmitted to each of the signatory Powers.

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(Signatures and Seals.)

No. 43.

Document No III. of Final Act.

PROJET DE CONVENTION CONCERNANT LES FRONTIERES DE THRACE.

L'EMPIRE BRITANNIQUE, la FRANCE, L'ITALIE, le JAPON, la BULGARIE, la GRECE, la ROU-

DRAFT CONVENTION RESPECTING THE FRONTIERS OF THRACE.

The British Empire, France, Italy, Japan, Bulgaria, Greece, Roumania, the Serb-Croat-Slo-

MANIE, l'Etat SERBE-CROATE-SLOVENÈ, et la TURQUIE, soucieux d'assurer le maintien de la paix sur les frontières de Thrace,

Et estimant nécessaire à cette fin que certaines dispositions spéciales réciproques soient prises de part et d'autre de ces frontières, ainsi qu'il est prévu par l'article 22 du Traité de paix signé en date de ce jour,

Ont décidé de conclure une Convention à cet effet et ont désigné pour leurs Plénipotentiaires, savoir,

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……………………………………………

Lesquels, après avoir exhibé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes:

Article 1.

Depuis la Mer Egée jusqu'à la Mer Noire, les territoires s'étendant de part et d'autre des frontières séparant la Turquie de la Bulgarie et de la Grèce, seront démilitarisés sur une largeur d'environ trente kilomètres, comprise dans les limites ci-après (voir la carte ci-jointe):

(1°) *en territoire turc*, de la Mer Egée à la Mer Noire:

une ligne sensiblement parallèle à la frontière de la Turquie, avec la Grèce et avec la Bulgarie, définie à l'article 2, paragraphes (1°) et (2°) du Traité de Paix signé en date de ce jour. Cette ligne sera tracée à une distance minimum de 30 Km. de cette frontière, sauf dans la région de Kirk-Kilissa où elle devra laisser en dehors de la zone démilitarisée la ville elle-même et un périmètre de 5 Km. au minimum compté à partir du centre de cette ville. Elle partira du Cap Ibrije-Burnu, sur la Mer Egée, pour aboutir, sur la Mer Noire, au Cap Serbes-Burnu;

(2°) *en territoire grec*, de la Mer Egée à la frontière gréco-bulgare:

une ligne partant de la pointe du Cap Makri (le village de Makri

vene State, and Turkey, being desirous of ensuring the maintenance of peace on the frontiers of Thrace.

And considering necessary for this purpose that certain special reciprocal measures should be taken on both sides of this frontier, as provided in Article 22 of the Treaty of Peace of even date,

Have decided to conclude a Convention for this purpose and have appointed as their Plenipotentiaries

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who, having produced their Full Powers in good and due form, have agreed as follows:—

Article 1.

From the Ægean Sea to the Black Sea the territories extending on both sides of the frontiers separating Turkey from Bulgaria and from Greece shall be demilitarised to a depth of about 30 kilometres within the following limits (*see* the attached map).

(1) *In Turkish territory*, from the Ægean Sea to the Black Sea:

a line generally parallel to the frontier of Turkey with Greece and Bulgaria defined in Article 2, paragraphs 1 and 2, of the Treaty of Peace of even date. This line shall be traced at a minimum distance of 30 kilometres from that frontier, except in the neighbourhood of Kirk Kilisse, where the town itself and an area within a radius of at least 5 kilometres from the centre of the town shall be excluded from the demilitarised zone. The line will run from Ibrije-Burnu, on the Ægean Sea, to Serbes-Burnu on the Black Sea;

(2) *in Greek territory*, from the Ægean Sea to the Greco-Bulgarian frontier:

a line starting from Cape Makri (the village of Makri beexclu) suivant vers le Nord un tracé sensiblement parallèle au cours de la Maritza jusqu'à hauteur de Tahtali, puis gagnant par l'Est de Meherkoz un point à déterminer sur la frontière gréco-bulgare, à 15 Km. environ à l'Ouest de Kuchuk Derbend;

(3°) *en territoire bulgare,* de la frontière gréco-bulgare à la Mer Noire:

une ligne partant du point ci-dessus défini, coupant la route d'Andrinople à Kossukavak, à 5 Km. à l'Ouest de Papas Keui, puis tracée à 30 Km. au minimum de la frontière gréco-bulgare et de la frontière turco-bulgare, sauf dans la région d'Harmanli où elle devra laisser en dehors de la zone démilitarisée la ville elle-même et un périmètre de 5 Km. au minimum compté à partir du centre de cette ville, pour aboutir sur la Mer Noire au fond de la baie située au Nord-Ouest d' Anberler.

Article 2.

Une Commission de délimitation, qui sera constituée dans les 15 jours qui suivront la mise en vigueur de la présente Convention, sera chargée de déterminer et de tracer sur le terrain les limites définies à l'article 1er. Cette Commission sera composée de représentants désignés par la France, la Grande-Bretagne, l'Italie, la Bulgarie, la Grèce et la Turquie, à raison d'un représentant par Puissance. Les représentants bulgare, grec et turc ne prendront part qu'aux opérations concernant respectivement le territoire de la Bulgarie, de la Grèce et de la Turquie; toutefois, le travail d'ensemble résultant de ces opérations sera arrété et enregistré en commission plénière.

Article 3.

La démilitarisation des zones définies à l'article 1er sera effectuée et maintenue conformément aux dispositions ci-après:

ing excluded), thence northwards generally parallel to the course of the Maritza as far as Tahtali, then passing eastwards of Meherkoz to a point to be determined on the Greco-Bulgarian frontier about 15 kilometres to the west of Kuchuk-Derbend;

(3) *in Bulgarian territory,* from the Greco-Bulgarian frontier to the Black Sea:

a line running from the point defined above, crossing the road from Adrianople to Kossukavak, at a point 5 kilometres to the west of Papas Keui, thence running at a distance of at least 30 kilometres from the Greco-Bulgarian frontier and from the Turco-Bulgarian frontier, except in the neighbourhood of Harmanli, where the town itself and an area within a radius of at least 5 kilometres from the centre of the town shall be excluded from the demilitarised zone; the line shall reach the Black Sea at the head of the bay situated to the north-west of Anberler.

Article 2.

A Boundary Commission, which shall be set up within 15 days from the coming into force of the present Convention, shall be entrusted to settle and to trace on the spot the boundaries defined in Article 1. This Commission shall be composed of representatives appointed by France, Great Britain, Italy, Bulgaria, Greece and Turkey, each Power having one representative. The Bulgarian, Greek and Turkish representatives shall only take part in the work concerning the territory of Bulgaria, Greece and Turkey respectively; however, the combined result of these operations shall be drawn up and registered at a plenary meeting of the Commission.

Article 3.

The demilitarisation of the zones defined in Article 1 shall be effected and maintained in accordance with the following provisions:—

(1°) tous les ouvrages de fortification permanente ou de campagne actuellement existants devront être désarmés et démantelés par les soins de la Puissance sur le territoire de laquelle ils se trouvent. Il ne sera construit aucun nouvel ouvrage de ce genre, ni organisé aucun dépôt d'armes ou de matériel de guerre non plus qu'aucune autre installation offensive ou défensive d'ordre militaire, naval ou aéronautique.

(2°) Il ne devra stationner ou se mouvoir aucune force armée en dehors des éléments spéciaux, tels que gendarmerie, forces de police, douaniers, garde - frontières, nécessaires pour assurer l'ordre intérieur et la surveillance des frontières.

L'effectif de ces éléments spéciaux, qui ne devront comprendre aucune aviation, ne dépassera pas, savoir :

(*a*) dans la zone démilitarisée du territoire turc 5,000 hommes au total ;

(*b*) dans la zone démilitarisée du territoire grec 2,500 hommes au total :

(*c*) dans la zone démilitarisée du territoire bulgare 2,500 hommes au total.

Leur armement ne comportera que le revolver, le sabre, le fusil et 4 fusils mitrailleurs par 100 hommes à l'exclusion de toute artillerie.

Ces dispositions ne porteront pas atteinte aux obligations incombant à la Bulgarie en vertu du Traité de Neuilly du 27 Novembre 1919.

3°. Le survol de la zone démilitarisée par des avions militaires ou navals de quelque pavillon que ce soit, est interdit.

Article 4.*

Le Gouvernement turc s'engage à limiter les forces armées turques stationnées en temps de paix sur son territoire européen, à un

(1) All permanent fortifications and field works actually in existence shall be disarmed and dismantled by the Power on whose territory they are situated. No new fortification or work of this nature shall be constructed, and no depôt of arms or of war material, or any other offensive or defensive installation of either a military, naval or aeronautical character shall be organised.

(2) No armed force, other than the special elements, such as gendarmerie, police, customs officers, frontier guards, necessary for ensuring internal order and the supervision of the frontiers, shall be stationed or move in the zones.

The number of these special elements, which must not include any air force, shall not exceed:

(*a*) in the demilitarised zone of Turkish territory a total of 5,000 men:

(*b*) in the demilitarised zone of Greek territory a total of 2,500 men:

(*c*) in the demilitarised zone of Bulgarian territory a total of 2,500 men.

Their armament shall be composed only of revolvers, swords, rifles and four Lewis guns per 100 men, and will exclude any artillery.

These provisions shall not affect the obligations incurred by Bulgaria under the Treaty of Neuilly of November 27th, 1919.

(3) Military or naval aircraft of any flag whatsoever are forbidden to fly over the demilitarised zone.

Article 4.*

The Turkish Government undertakes to limit the armed Turkish forces stationed in peace time on their European territory to a effectif total de 20,000 hommes y compris l'effectif de 12,000 hommes fixé pour la garnison de Constantinople par l'article 8 de la Convention sur le régime des Détroits signée en date de ce jour.

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* Subsequently suppressed ; *see* page 832, paragraph 1.

Les effectifs des éléments spéciaux tels que gendarmerie, forces de police, douaniers, garde-frontières, nécessaires pour assurer l'ordre intérieur et la surveillance des frontieres ne seront pas compris dans le total de 20,000 hommes ci-dessus stipulé.

Article 5.

Au cas où l'une des Puissance limitrophes dont le territoire est visé dans la présente Convention, aurait quelque réclamation à formuler concernant l'observation des présentes dispositions, cette réclamation devrait être portée par elle devant le Conseil de la Société des Nations.

Article 6.

La présente Convention sera ratifiée.

Les ratifications en seront déposées à Paris aussitôt que faire se pourra.

Elle entrera en vigueur dès que la Bulgarie, la Grèce et la Turquie l'auront respectivement ratifiée. Un procès-verbal spécial constatera ces ratifications. En ce qui concerne les autres Puissances qui ne l'auraient pas déjà ratifiée à ce moment, elle entrera en vigueur au fur et à mesure du depôt de leurs ratifications, qui sera notifiée aux autres Puissances contractantes par le Gouvernement de la République française.

Le Gouvernement japonais aura la faculté de se borner à faire connaître au Gouvernement de la République française par son représentant diplomatique à Paris que la ratification a été donnée

total force of 20,000 men, including the force of 12,000 men laid down for the garrison of Constantinople in accordance with Article 8 of the Straits Convention of even date.

The force of special elements, such as gendarmerie, police, customs officers, frontier guards, necessary for ensuring internal order and the supervision of the frontiers shall not be included in the total of 20,000 men provided for above.

Article 5.

In the event of one of the bordering Powers whose territory forms the subject of the present Convention having any complaint to make respecting the observance of the present provisions, this complaint shall be brought by that Power before the Council of the League of Nations.

Article 6.

The present Convention shall be ratified.

The ratifications shall be deposited at Paris as soon as possible.

The Convention shall come into force as soon as Bulgaria, Greece and Turkey shall respectively have ratified it.

These ratifications shall be recorded in a special *procès-verbal.* In so far as concerns the other Powers which have not at that date ratified the Convention, it shall come into force as from the date on which they deposit their respective ratifications, which deposit shall be notified to the other Contracting Powers by the Government of the French Republic.

The Japanese Government shall be entitled merely to inform the Government of the French Republic, through their diplomatic representative in Paris, that ratification has been given, and et, dans ce cas, il devra en transmettre l'instrument aussitôt que faire se pourra.

En foi de quoi les Plénipotentiaires susnommés ont signé la présente Convention.

Fait à Lausanne le....................................192 , en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.

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....

(signatures et cachets)

in that event the Japanese Government shall forward the instrument of ratification as soon as possible.

IN FAITH WHEREOF the above - mentioned Plenipotentiaries have signed the present Convention.

DONE at Lausanne the .... 192... in a single copy which shall be deposited in the archives of the Government of the French Republic, which will transmit a ratified copy thereof to each of the Signatory Powers.

(Signatures and Seals.)

No. 44.

Document No. IV. of Final Act.

PROJET DE CONVENTION RELATIVE AU REGIME DES ETRANGERS EN TURQUIE.

L'EMPIRE BRITANNIQUE, la FRANCE, l'ITALIE, le JAPON, la GRECE, la ROUMANIE, l'ETAT SERBE - CROATE - SLOVENE, d'une part,

Et la TURQUIE, d'autre part,

Désireux de fixer conformément au droit des gens moderne le régime des étrangers en Turquie dans des conditions conformes tout à la fois à la souveraineté turque et à la légitime protection de leurs droits,

Ont décidé de conclure une Convention à cet effet et ont désigné pour les Plénipotentiaires respectifs, savoir :

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....

Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes.

DRAFT CONVENTION RESPECTING THE RÉGIME APPLICABLE TO FOREIGNERS IN TURKEY.

The British Empire, France, Italy, Japan, Greece, Roumania and the Serb-Croat-Slovene State, of the one part,

And Turkey, of the other part,

Being desirous of settling, in accordance with modern international law, the régime applicable to foreigners in Turkey under conditions consistent both with the sovereignty of Turkey and with the legitimate protection of their rights,

Have decided to conclude a Convention to this effect, and have appointed as their Plenipotentiaries :—

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Who, having produced their Full Powers, found in good and due form, have agreed as follows :—

Article 1.

A dater de la mise en vigueur de la présente Convention, les Capitulations concernant le régime des Etrangers en Turquie, tant au point de vue des conditions d'accès et de séjour qu'au point de vue fiscal et judiciaire, sont abrogées entre la Turquie et les autres Puissances contractantes.

CHAPITRE 1.

CONDITIONS D'ACCES ET DE SEJOUR.

Article 2.

Sur tout le territoire de la Turquie les ressortissants des autres Puissances contractantes seront reçus et traités relativement à leurs personnes et à leurs biens conformément au droit commun international. Ils y jouiront de la plus entière et constante protection pour leurs personnes, leurs biens, droits et intérêts. Ils y auront entière liberté d'accès et d'établissement, et pourront, en conséquence, aller, venir et séjourner en Turquie, en se conformant aux lois et règlements de police, et sans être soumis de ce chef à aucune restriction quelconque, à laquelle ne seraient pas soumis les ressortissants turcs.

Article 3.

Le Gouvernement turc pourra exiger des ressortissants des autres Puissances contractantes la présentation d'un passeport à l'entrée en Turquie. Pour prendre domicile ou former un établissement en Turquie, les ressortissants desdites Puissances devront être munis d'un certificat ou d'un acte d'immatriculation constatant leur nationalité, qui leur seront délivrés par leurs ambassades, légations, consulats ou vice-consulats respectifs institués en Turquie.

Article 1.

As from the coming into force of the present Convention, the Capitulations respecting the régime applicable to foreigners in Turkey, both as regards conditions of entry and of residence and in relation to fiscal and judicial matters, are abolished between Turkey and the other Contracting Powers.

CHAPTER I.

CONDITIONS OF ENTRY AND RESIDENCE.

Article 2.

In the whole of Turkey the nationals of the other Contracting Powers will be received and treated, both as regards their persons and property, in accordance with ordinary international law. They will enjoy in Turkey complete and constant protection for their persons, their property, rights and interests. They will have complete freedom to enter and establish themselves in Turkey, and may accordingly come, go and reside there, complying with the law and police regulations, and they shall not be subjected in this connection to any restriction whatever to which Turkish nationals are not subject.

Article 3.

The Turkish Government may require the nationals of the other Contracting Powers to produce a passport on entering Turkey. Before settling themselves or setting up an establishment in Turkey, nationals of the said Powers must be furnished with a registration certificate or similar document proving their nationality, which will be delivered to them by their respective Embassies, Legations, Consulates or Vice-Consulates in Turkey.

Article 4.

En Turquie, les ressortissants des autres Puissances contractantes auront le droit d'acquérir, de posséder et d'aliéner toute sorte de biens mobiliers et immobiliers ; ils pourront en disposer notamment par vente, échange, donation, dispositions testamentaires ou de toute autre manière, ainsi qu'entrer en possession par voie de succession en vertu de la loi ou par suite de dispositions entre vifs ou testamentaires.

Ils pourront exercer en Turquie tous genres de commerce, de profession, d'industrie et d'exploitation permis aux nationaux, ainsi que tout métier qu'un long usage n'aurait pas réservé aux seuls ressortissants turcs. En ce qui concerne les professions pour lesquelles des diplômes sont exigés en Turquie, le Gouvernement turc déclare dès à présent reconnaître comme équivalents aux diplômes turcs les diplômes délivrés par les autorités compétentes de l'Empire britannique, de la France, de l'Italie et du Japon et se réserve de conclure sur ce sujet des accords particuliers avec les autres Puissances.

Ils ne seront soumis, en aucun de ces cas, à des restrictions quelconques, auxquelles ne seraient pas soumis les ressortissants turcs.

Article 5.

Les sociétés commerciales, industrielles ou financières, y compris les sociétés de transport ou d'assurance et en général toutes les personnes morales régulièrement constituées hors de la Turquie et sur le territoire de l'une quelconque des autres Puissances contractantes ou qui y sont légalement reconnues, jouiront à tous égards en Turquie des mêmes droits que les ressortissants desdites Puissances. En tout ce qui concerne leur con-

Article 4.

In Turkey the nationals of the other Contracting Powers will have the right to acquire, to possess and to dispose of all kinds of property both movable and immovable; they will in particular be able to dispose thereof by sale, exchange, gift, testamentary disposition, or in any other way, and to take possession by inheritance in accordance with the law, or under dipositions *inter vivos* or by will.

They may engage in Turkey in all forms of commerce, professions, industry and enterprise which are open to Turkish nationals, and in all occupations which are not reserved to Turkish nationals by established usage. As regards professions for the exercise of which in Turkey diplomas are required, the Turkish Government hereby recognises the diplomas granted by the competent authorities of the British Empire, France, Italy and Japan as equivalent to Turkish diplomas, and reserves the right to conclude separate agreements on this subject with the other Powers.

The nationals of the other Contracting Powers shall not be subjected in any of these matters to any restrictions to which Turkish nationals are not subject.

Article 5.

Commercial, industrial and financial corporations, including transport and insurance corporations, and in general all juridical persons which are regularly incorporated outside Turkey and in the territory of any one of the other Contracting Powers, or which are recognised by law in such territory, will enjoy in all respects in Turkey the same rights as nationals of the said Powers. In all matters relating to their constitution, their legal

stitution, leur capacité juridique et le droit d'ester en justice, elles seront traitées d'après leur loi nationale, tout en restant soumises, quant à leurs opérations elles-mêmes en Turquie, aux prescriptions d'ordre public et de police qui y sont en vigueur; elles jouiront, à cet égard, dans tous les cas, des mêmes droits que toute autre société semblable turque ou étrangère.

Article 6.

En Turquie, les ressortissants des autres Puissances contractantes ne seront pas soumis aux lois militaires. Ils seront exempts de tout service et de toute obligation ou charge remplaçant le service militaire.

Ils ne pourront être expropriés de leurs biens ou privés même temporairement de la jouissance de leurs biens, que pour cause légalement reconnue d'utilité publique et moyennant une juste et préalable indemnité. Aucune expropriation ne pourra avoir lieu sans publicité préalable.

Article 7.

La Turquie se réserve le droit d'expulser, par mesures individuelles, soit à la suite d'une sentence légale, soit d'après les lois ou règlements sur la police des moeurs, sur la police sanitaire ou sur la mendicité, soit pour des motifs de sûreté intérieure ou extérieure de l'Etat, les ressortissants des autres Puissances contractantes, lesquelles s'engagent à les recevoir en tout temps, eux et leur famille.

Le transport des individus expulsés jusqu'au lieu de destination sera effectué par les soins et à la charge du Gouvernement turc, dans des conditions conformes à l'hygiène et à l'humanité.

capacity and their right to sue and be sued, they will be treated in accordance with their national law, while remaining subject, so far as concerns their actual operations in Turkey, to the regulations in force relating to public order and police matters; in this respect they will enjoy in all cases the same rights as any other similar corporation, whether Turkish or foreign.

Article 6.

In Turkey the nationals of the other Contracting Powers will not be subject to the laws relating to military service. They will be exempt from such service and from any obligation or payment which replaces such service.

Their property may not be expropriated, or the use of it denied to them even temporarily, except for reasons of public interest recognised by law as such, and in return for fair compensation to be paid in advance. No expropriation may take place without public notice being previously given.

Article 7.

Turkey reserves the right to expel, in individual cases, nationals of the other Contracting Powers either under the order of a Court or in accordance with the laws and regulations relating to public morality, public health or pauperism, or for reasons affecting the internal or external safety of the State. The other Contracting Powers agree to receive persons thus expelled, and their families, at any time.

The transportation of such persons to the point of destination shall be effected by and at the expense of the Turkish Government, and in conditions complying with the requirements of health and humane treatment.

Article 8.

Tout avantage que la Turquie aurait concédé ou pourrait concéder à l'avenir, d'une manière quelconque, à une autre Puissance, en ce qui concerne l'etablissement des citoyens et l'exercice des professions, du commerce ou de l'industrie, sera applicable de la même manière, à la même époque et sans autres conditions aux autres Puissances contractantes, sans qu'il soit nécessaire de faire une convention spéciale à cet effet.

Article 9.

Réciproquement, les conditions d'accès, de séjour et d'établissement des ressortissants turcs sur le territoire de chacune des autres Puissances contractantes, seront l'objet de conventions particulières que lesdites Puissances se déclarent dès à présent disposées à conclure avec la Turquie.

CHAPITRE II.

CLAUSES FISCALES.

Article 10.

Pour séjourner et s'établir sur le territoire turc, comme pour l'exercice de tout genre de commerce, profession, industrie, exploitation ou activité de quelque nature que ce soit en Turquie, permis aux termes de l'article 4 aux ressortissants des autres Puissances contractantes, ceux-ci ne seront soumis à aucun impôt, taxe ou charge de quelque nature et sous quelque dénomination que ce soit, autres ou plus onéreux que ceux auxquels sont soumis les ressortissants turcs.

Les ressortissants desdites Puissances, qui seraient établis à l'étranger et qui se livreraient pendant leur passage sur le territoire turc à une activité quelconque, ne seront soumis à aucun impôt, taxe, charge de quelque

Article 8.

Any privilege relating to the conditions of residence of foreigners, or the exercise by them of professions, commerce or industry, which Turkey may have granted or may grant in future in any manner to another Power, shall be applied in the same manner, at the same time, and without any different conditions being demanded, to the other Contracting Powers, without a separate agreement to that effect being inserted.

Article 9.

Reciprocally, the conditions in which Turkish nationals may enter, reside and establish themselves in the territory of each of the other Contracting Powers, shall form the subject of separate Conventions, which the said Powers hereby declare themselves ready to conclude with Turkey.

CHAPTER II.

FISCAL CLAUSES.

Article 10.

Nationals of the Contracting Powers other than Turkey shall not be subjected to any charge, tax or impost of whatever kind or under whatever description, other or higher than those which may be imposed on Turkish nationals, in respect of their stay or residence in Turkish territory, or in respect of the exercise of any form of commerce, profession, industry, enterprise or activity of whatever kind in Turkey which they are allowed to carry on in accordance with the provisions of Article 4.

The nationals of the said Powers who are established abroad and who, while passing through Turkish territory, undertake any business, shall not be subjected to any charge, tax or impost of whatever kind or under

nature ou sous quelque dénomination que ce soit, autres ou plus onéreux que ceux auxquels seraient soumis les ressortissants turcs ou étrangers établis en Turquie pour une activité de même nature et importance aux termes des dispositions fiscales en vigueur dans le pays.

Les biens, droits et intérêts des ressortissants desdites Puissances en territoire turc ne seront soumis à aucune charge, taxe ou impôt direct ou indirect, autres ou plus élevés que ceux qui pourront être imposés aux biens, droits et intérêts des ressortissants turcs, tant en ce qui concerne l'acquisition, possession, et jouissance desdits biens, qu'en ce qui concerne leur transfert par cession, mutation ou héritage.

Article 11.

Les sociétés civiles ou commerciales, industrielles ou financières, y compris les sociétés de transport ou d'assurance, qui sont constituées sous la loi d'un des autres pays contractants et qui s'établissent en Turquie ou y exercent leur activité, n'y seront soumises à aucun impôt, droit ou taxe de quelque nature ou sous quelque dénomination que ce soit, auxquels ne seraient point soumises les sociétés de même nature constituées sous la loi turque.

Les mêmes dispositions s'appliqueront aux filiales, succursales, agences et autres représentations de firmes ou sociétés desdits pays, qui sont établies en Turquie ou y exercent leur activité, étant entendu que lesdites filiales, succursales, agences et représentations, ne seront imposées que pour leur capital réellement investi en Turquie ou sur les bénéfices et revenus qu'elles y ont réellement acquis, ceux-ci pouvant servir à la détermina-

whatever description other or higher than those to which Turkish nationals or foreigners established in Turkey are subjected in respect of an activity of the same kind and importance, in accordance with the fiscal provisions in force in the country.

The property, rights and interests in Turkish territory of the nationals of the said Powers shall not be subjected to any impost, tax or charge, direct or indirect, other or higher than those which may be imposed on the property, rights and interests of Turkish nationals, whether as regards the acquisition, possession or enjoyment of the said property, or as regards its transfer by grant, exchange or succession.

Article 11.

Commercial, industrial or financial corporations, including transport and insurance companies, and non-trading corporations, which are incorporated in accordance with the law of one of the other contracting countries, and which establish themselves in Turkey or carry on their affairs there, shall not be subjected to any impost, tax or charge, of whatever kind or under whatever description, to which corporations of the same kind incorporated under Turkish law are not subjected.

The same provisions apply to associated companies, branches, agencies and other representatives of firms or companies of the said countries which are established or carry on their affairs in Turkey, it being understood that the said associated companies, branches, agencies and representatives will only be taxed in proportion to the amount of the capital actually employed in Turkey, or in respect of the profits and revenues which they tion du capital imposable, s'il ne peut être déclaré ou vérifié.

Article 12.

Si le Gouvernement turc institue, à l'effet de favoriser la production, le commerce ou les transports en Turquie, des exonérations de charges fiscales, de quelque nature ou sous quelque dénomination que se soit, ou attribue des primes, ristournes ou tout autre mode d'encouragement, ces exonérations ou encouragements seront allouées aussi bien aux ressortissants ou sociétés des autres pays contractants, établis en Turquie, qu'aux ressortissants turcs ou aux sociétés établies sous la loi turque, de manière à éviter toute discrimination au détriment des ressortissants ou sociétés desdits pays.

Article 13.

Pour toute matiére visée aux articles précédents, les impôts, droits, taxes, provinciaux ou locaux, imposables en Turquie aux ressortissants des autres pays contractants ne seront point autres ou plus élevés que ceux qui seraient imposés aux ressortissants turcs.

Article 14.

Aucun emprunt forcé ou autre prélèvement exceptionnel sur la fortune, ne seront imposés en Turquie, même en cas de guerre, aux ressortissants des autres pays contractants établis en Turquie ou y exerçant leur activité, à leurs biens, droits et intérêts situés sur le territoire turc, ainsi qu'aux sociétés, filiales, succursales ou agences constituées sous la loi d'un desdits pays et établies en Turquie ou y exerçant leur activité.

have actually earned there, these revenues being used to determine the amount of capital employed if it is impossible to state or verify that capital.

Article 12.

If the Turkish Government, in order to encourage production, commerce or transport in Turkey, establishes any exemptions from fiscal charges, of whatever kind or under whatever description, or grants premiums, rebates or any other method of encouragement, these exemptions or methods of encouragement will be allowed to the nationals or companies established in Turkey of the other contracting countries in the same way as to Turkish nationals or to companies established under Turkish law, so as to avoid all discrimination to the detriment of the nationals or companies of those countries.

Article 13.

In respect of all matters referred to in the preceding Articles, provincial or local charges, imposts or taxes, leviable in Turkey on the nationals of the other contracting countries shall not be other or higher than those levied on Turkish nationals.

Article 14.

No forced loan or other exceptional levy on wealth shall be imposed in Turkey, even in case of war, on nationals of other contracting countries established in Turkey or carrying on their affairs therein, or on their property, rights and interests situated in Turkish territory, or on corporations, associated companies, branches or agencies constituted under the law of one of the said countries and established in Turkey or carrying on their affairs therein.

Article 15.

Au point de vue des charges fiscales de toute nature, les établissements religieux, scolaires ou d'assistance établis en Turquie par des ressortissants, associations, ou sociétés des autres pays contractants, y bénéficieront, sans distinction de religion, de toutes exonérations ou facilités qui sont ou seraient accordées aux établissements religieux, scolaires, ou d'assistance turcs.

Par dérogation exceptionnelle, la franchise douanière est accordée pendant la durée de la présente Convention pour l'importation en Turquie des objets nécessaires au culte ou des matérieux et outillages destinés à l'entretien desdits établissements.

Article 16.

Conformément à l'abolition des Capitulations, la Turquie n'accordera pas aux ressortissants des Puissances étrangères un traitement plus favorable qu'à ses propres ressortissants et appliquera à ses ressortissants et aux ressortissants des autres Parties Contractantes le principe de l'égalité de traitement, tant ce qui concerne les matières prévues aux dispositions précédentes qu'en ce qui concerne celles qui n'y seraient point prévues.

Article 17.

Chacune des dispositions contenues dans les articles 10 à 14 ci-dessus demeurera applicable en Turquie pendant une durée de dix années aux ressortissants de chacun des autres pays contractants, à la condition que celui-ci accorde aux ressortissants turcs sur son territoire le bénéfice d'une disposition réciproque.

Sous l'application du présent article, les dominions, colonies, pays de protectorat ou pays à

Article 15.

As regards fiscal charges of every kind, religious, scholastic or charitable institutions established in Turkey by the nationals, associations or corporations of the other contracting countries shall, without any distinction on the ground of religion, receive the benefit of all exemptions or facilities which are or may be granted to Turkish religious, scholastic or charitable institutions.

As a special exception, freedom from Customs duties are granted for the duration of the present Convention in respect of the importation into Turkey of articles necessary for the purposes of religion, or materials and implements required for the maintenance of the said institutions.

Article 16.

The Capitulations having been abolished, Turkey will not grant to the nationals of foreign countries any treatment more favourable than that accorded to her own nationals, and will apply to her nationals and to the nationals of the other Contracting Parties the principle of equality of treatment, not only as regards the matters referred to in the preceding provisions, but also as regards those which are not referred to.

Article 17.

Each of the provisions contained in Articles 10-14 above will remain in force in Turkey for a period of 10 years as regards the nationals of each of the other contracting countries, on condition that such other country grants to Turkish nationals in its territory the benefit of a reciprocal provision

For the purposes of the present Article, Dominions, colonies, protectorates or mandated mandat seront individuellement considérés comme des pays contractants.

CHAPITRE III.

CLAUSES JUDICIAIRES.

Article 18.

En Turquie, les ressortissants des autres Pays contractants auront libre accès aux tribunaux turcs et pourront ester en justice aux mêmes conditions à tous égards que les ressortissants turcs, sans être astreints à aucune caution ou dépôt, sous quelque dénomination que ce soit, en raison de leur extranéité ou de leur défaut de domicile ou de résidence en Turquie.

Article 19.

Dans les contestations en matière réelle ou immobilière s'élevant en Turquie entre ressortissants des autres Pays contractants ou entre ceux-ci et ressortissants turcs, et concernant des immeubles situées en Turquie, l'action sera portée devant la juridiction turque du lieu de la situation de l'immeuble.

Dans les contestations en matière mobilière, civile ou commerciale, qui viendraient à s'élever en Turquie entre ressortissants des autres Pays contractants ou entre ceux-ci et ressortissants turcs, l'action sera, à défaut de stipulation contraire entre les parties, portée devant la juridiction turque selon les règles ordinaires du droit international.

Article 20.

En matière de statut personnel c'est-à-dire pour toutes les questions concernant le mariage et la communauté conjugale, le divorce, la séparation de corps, la dot, la paternité, la filiation, l'adoption, la capacité des personnes, la majorité, la tutelle, la curatelle, l'interdiction, et en

countries will be considered individually as contracting countries.

CHAPTER III.

JUDICIAL CLAUSES.

Article 18.

In Turkey the nationals of the other Contracting Countries will have free access to the Turkish courts and may sue and be sued in the same conditions in all respects as Turkish nationals, without being subjected to any security or deposit of any sort by reason of their nationality or the fact that they are not domiciled or resident in Turkey.

Article 19.

Real property actions arising in Turkey between nationals of the other Contracting Countries, or between such nationals and Turkish nationals, and relating to immovable property situated in Turkey, shall be brought before the Turkish Court in the locality where the property in question is situated.

Personal, civil or commercial actions arising in Turkey between nationals of the other Contracting Countries, or between such nationals and Turkish nationals, shall, failing any agreement to the contrary between the parties, be brought before the Turkish courts in accordance with the ordinary rules of international law.

Article 20.

In matters of personal status, *i.e.*, all questions relating to marriage, conjugal rights, divorce, judicial separation, dower, paternity, affiliation, adoption, capacity, majority, guardianship, trusteeship, interdiction and in general all similar matters, and also any matters relating to sucgénéral pour toutes questions similaires, ainsi qu'en matière de successions mobilières, testamentaires ou *ab intestat*, seront seuls compétents les tribunaux nationaux ou autres autorités nationales compétentes se trouvant dans le pays duquel les parties ressortissent.

Par dérogation à ce principe pourront également être compétents pour les matières susindiquées vis-à-vis des ressortissants des autres Puissances contractantes, les tribunaux turcs si toutes les parties en cause se soumettent par écrit à la juridiction desdits tribunaux, lesquels statueront d'après la loi nationale desdites parties.

Article 21.

En Turquie, les ressortissants des autres pays contractants seront, en matière pénale, justiciables, conformément aux règles ordinaires du droit international, de la juridiction turque pour tous les crimes, délits et contraventions commis par eux en Turquie, sans préjudice du droit de juridiction que les dits pays auraient, d'après leur législation intérieure, sur leurs propres nationaux pour les crimes ou délits commis par ceux-ci à l'étranger.

Article 22.

Le Gouvernement turc, animé des intentions formulées dans sa déclaration en date de ce jour relativement à la réorganisation de la justice, déclare que les étrangers en Turquie seront assurés, quant à leurs personnes et à leurs biens, devant les juridictions turques d'une protection conforme au droit de gens ainsi qu'aux principes et méthodes généralement suivis dans les autres pays.

Article 23.

Toutes questions relatives à l'exécution des jugements, à la

cessions to personalty, whether by will or on intestacy, the national tribunals or other competent national authorities established in the country of which the parties are nationals will alone have jurisdiction.

By way of exception the Turkish courts will also have jurisdiction in the matters referred to above in relation to nationals of the other Contracting Powers, if all the parties to the case submit in writing to the jurisdiction of the said courts. In such case the Turkish courts will apply the national law of the said parties.

Article 21.

In criminal matters arising in Turkey the Turkish courts will, in accordance with the ordinary rules of international law, have jurisdiction over all charges against nationals of the other contracting countries, but without prejudice to any rights of jurisdiction which the said countries may have under their own law over their own nationals for offences committed by them abroad.

Article 22.

The Turkish Government, being animated by the intentions stated in its Declaration of even date relating to the reorganisation of the Turkish judicial system, declare that the Turkish courts will ensure to foreigners in Turkey, both as regards person and property, protection in accordance with international law and the principles and methods generally adopted in other countries.

Article 23.

All questions relating to the execution of judgments, service communication des actes judiciaires et extra-judiciaires aux Commissions rogatoires, aux condamnations aux frais et dépens, à l'assistance judiciaire gratuite et la contrainte par corps seront, dans les rapports entre la Turquie et les autres Puissances contractantes l'objet de conventions spéciales à conclure entre les Etats intéressés.

CHAPITRE IV.

ECOLES ET ETABLISSEMENTS RELIGIEUX OU CHARITABLES.

Article 24.

Aucune entrave ne sera apportée au libre fonctionnement et aux droits de propriété des établissements religieux, scolaires ou charitables, des hôpitaux, dispensaires et autres établissements analogues existant déjà on Turquie et dirigés par des personnes, communautés ou associations ressortissant aux autres Puissances contractantes.

En ce qui concerne la création de nouveaux établissements similaires, les Puissances intéressées se réservent de conclure des arrangements spéciaux avec le Gouvernement turc.

D'une façon générale, les œuvres religieuses, scolaires, hospitalières ou charitables étrangères en Turquie se conformeront, sans toutefois qu'il soit porté atteinte à leur caractére particulier et à leur libre fonctionnement, aux lois et règlements turcs régissant les œuvres analogues du pays.

Article 25.

Les Puissances non signataires seront admises à adhérer à la présente Convention.

Cette adhésion sera signifiée, par la voie diplomatique, au Gouvernement de la République française et par celui-ci à tous les Etats signataires ou adhérents. Elle portera effet à dater du jour de la signification au Gouvernement français.

of judicial and extrajudicial documents, commissions rogatoires, orders for the payment of costs and expenses, free judicial assistance and imprisonment for debt will be regulated between Turkey and the other Contracting Powers by separate conventions to be concluded between the States concerned.

CHAPTER IV.

SCHOOLS, RELIGIOUS AND CHARITABLE ESTABLISHMENTS.

Article 24.

The operations and the property rights of religious, scholastic and charitable establishments, hospitals, dispensaries and other similar establishments now existing in Turkey and conducted by persons, communities or associations who are nationals of any of the other Contracting Powers, shall not be impeded or prejudiced in any way.

The Powers concerned reserve the right to conclude separate arrangements with the Turkish Government as regards the foundation of new establishments of this nature.

Generally, foreign religious, scholastic, medical or charitable establishments in Turkey will comply with the Turkish laws and regulations applicable to similar Turkish establishments, but without their particular character and the freedom of their operations being prejudiced.

Article 25.

Non-signatory Powers may accede to the present Convention. Such accession shall be notified through the diplomatic channel to the Government of the French Republic, and by that Government to all the signatory or acceding states. The accession shall take effect as from the date of the notification to the French Government.

Article 26.

La présente Convention sera ratifiée.

Les ratifications en seront déposées à Paris aussitôt que faire se pourra.

Elle entrera en vigueur dans les mêmes conditions que le Traité de paix en date de ce jour.

EN FOI DE QUOI les Plénipotentiaires susnommés ont signé la présente Convention.

Fait à Lausanne le................. ....19...... en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, le quel en remettra une expédition authentique à chacune des Puissances signataires.

....

....

(Signatures et cachets).

Article 26.

The present Convention shall be ratified.

The ratifications shall be deposited at Paris as soon as possible.

It will come into force in the same way as the Treaty of Peace of even date.

In Faith Whereof the above-named Plenipotentiaries have signed the present Convention.

Done at Lausanne ...., 192......, in a single copy, which shall be deposited in the archives of the Government of the French Republic, which Government will transmit a certified copy to each of the Signatory Powers.

....

....

(Signature and Seals).

No. 44A.

Projet de Declaration Relative a l'Administration de la Justice en Turquie.*

Les Plénipotentiaires soussignés, agissant en vertu de leurs pleins pouvoirs, déclarent au nom du Gouvernement de la Grande Assemblée Nationale d'Angora et en conformité de l'article 22 de la Convention en date de ce jour, concernant les conditions d'accès et de séjour des étrangers en Turquie :

(1°) Dès la mise en vigueur du Traité de Paix également signé ce même jour et pour la période nécessaire à la réorganisation de l'administration de la justice à la suite des événements qui ont troublé le pays et au moins pour une période de cinq ans, il constituera un corps de conseillers légistes qu'il recrutera comme il suit.

Le Gouvernement turc constituera une Commission comprenant cinq membres, dont deux fonctionnaires de l'Administration de la justice en Turquie et

Draft Declaration Relating to the Administration of Justice in Turkey.*

The undersigned Plenipotentiaries, acting under their Full Powers, declare as follows in the name of the Government of the Grand National Assembly of Angora, and in accordance with Article 22 of the Convention of even date relating to the conditions in which foreigners may enter and reside in Turkey :

(1) On the coming into force of the Treaty of Peace of even date, and during the period necessary for the reorganisation of the administration of justice after the events which have disturbed the country and at least for a period of five years, there shall be established a body of Legal Counsellors recruited in the following manner.

The Turkish Government will appoint a Commission consisting of five members, of whom two will be officials connected with the administration of justice in trois membres qu'il choisira parmi les juges titulaires ou suppléants de la Cour Permanente de Justice Internationale de La Haye. Cette Commission sera chargée de présenter au Gouvernement turc les candidats parmi lesquels celui-ci nommera un nombre suffisant, d'après, les dispositions ci-après de conseillers légistes destinés à être attachés au Ministère de la Justice et affectés au service des tribunaux de Constantinople, Smyrne, Samsoun et Adana, ainsi qu'à la Cour d'Appel et à la Cour de Cassation. La Commission joindra à la présentation desdits candidats l'indication des conditions de leur engagement et de leur traitement.

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* Subsequently replaced by a different proposal ; *see* page 834, paragraph 7, and Annex I, page 834.

(2°) Dès la mise en vigueur dudit Traité de Paix, le Gouvernement turc constituera, d'autre part, un Comité consultatif dont feront partie, avec les fonctionnaires des différents services turcs intéressès, ceux desdits conseillers légistes qui seront affectés au Service de la Cour d'Appel et de la Cour de Cassation. Ce Comité aura pour tâche d'élaborer tous projets de réforme qui serait jugée nécessaire pour mettre la législation, l'administration de la justice en Turquie et le régime pénitentiaire en conformité des conditions du monde moderne.

(3°) En cas de compétence de la juridiction turque vis-à-vis des étrangers dans les affaires du statut personnel, comme dans les affaires mobilières, civiles ou commerciales, lorsque la demande dépasse 50 livres turques, ainsi que dans les affaires pénales lorsque le prévenu poursuivi en Turquie est un étranger, les tribunaux turcs énumérés au paragraphe 1°, alinéa 2, de la présente Déclaration, auront seuls à connaître en première instance desdites affaires; leurs circonscrip-

Turkey, and three will be chosen by the Turkish Government from among the judges and supplementary judges of the Permanent Court of International Justice of The Hague. It will be the duty of this Commission to propose to the Turkish Government the names of candidates, from among whom that Government will appoint a sufficient number, in accordance with the following provisions, of Legal Counsellors to be attached to the Ministry of Justice, and assigned to the tribunals of Constantinople, Smyrna, Samsoun and Adana, and also to the Court of Appeal and the Court of Cassation. The Commission, when presenting the names of the said candidates, will lay down their conditions of service and salaries.

(2) On the coming into force of the said Treaty of Peace the Turkish Government will also appoint an Advisory Committee, on which those of the said Legal Counsellors who are assigned to the Court of Appeal and the Court of Cassation will sit, along with officials of the different Turkish Departments concerned. It will be the duty of this Committee to prepare all such schemes of reform as may be considered necessary to bring the law, the administration of justice and the prison system in Turkey into conformity with modern conditions.

(3) In cases where the Turkish courts have jurisdiction over foreigners in matters of personal status, or in personal, civil or commercial matters where the sum claimed exceeds £T50, as well as in criminal cases in Turkey where the accused is a foreigner, the Turkish tribunals mentioned in paragraph (1), second sub-paragraph, of the present Declaration will have exclusive jurisdiction in first instance over the said matters. The areas over which the juris-

tions judiciaires seront fixées en conséquence.

Lorsque les tribuneaux et Cours visés au paragraphe (1°), alinéa 2, de la présente Déclaration auront à connaître, pour jugement ou pour instruction d'une desdites affaires, leur composition comportera toujours la présence d'au moins un conseiller légiste, choisi parmi ceux prévus audit alinéa. Lorsqu'un Tribunal ou une Cour jugera, en dernier ressort, sa composition comportera toujours un nombre de conseillers légistes assurant à ceux-ci la majorité dans les délibérations.

(4°) Dans les villes de Constantinople, Smyrne Samsoun et Adana, les mandats d'amener et d'arrêt, ainsi que les mandats ordonnant des visites domiciliaires, ne seront décernés contre des étrangers que sur le visa d'un des Conseillers légistes prévus au paragraphe 1°, alinéa 2, de la présente Déclaration, devant lequel le prévenu sera traduit sans délai.

Les étrangers qui auront été arrêtés sans mandat dans le cas de flagrant délit, ou qui auront été arrêtés ailleurs que dans les villes ci-dessus désignées, pourront toujours réclamer d'être envoyés sans délai et au plus tard dans les 48 heures de l'arrestation devant un des conseillers légistes effectés au service judiciaire dans la plus proche desdites villes. Passé ce délai la mise en liberté sera obligatoire.

L'original de la présente Déclaration restera déposé dans les archives du Gouvernement de la République Française, qui en remettra une expédition authentique à chacune des Puissances signataires du Traité de Paix en date de ce jour.

Fait à Lausanne, le...........19...

(Signatures et cachets.)

diction of these tribunals extends will be fixed accordingly.

When any of the tribunals and courts referred to in paragraph (1), second sub-paragraph of the present Declaration has to deal with one of the said matters, whether by way of hearing or of preliminary investigation, at least one Legal Counsellor, chosen from among those provided for in the said sub-paragraph, shall always sit as a member of the court. When any such tribunal or court is sitting as a final court of appeal, a number of Legal Counsellors, sufficient to ensure their composing the majority of the court, shall always sit as members of the court.

(4) In the towns of Constantinople, Smyrna, Samsoun and Adana, warrants for arrest and search warrants will not be issued against foreigners unless they have been countersigned by one of the Legal Counsellors referred to in paragraph (1), second subparagraph, of the present Declaration, and the accused shall be brought before one of the said Counsellors without delay.

Foreigners who have been arrested *flagrante delicto* without a warrant, or who have been arrested outside the towns mentioned above, will always have the right to claim to be sent without delay, and at latest within 48 hours of their arrest, before one of the Legal Cousellors assigned to the courts in the nearest of the said towns. If the arrested person is not so sent within the said period, he shall be set at liberty.

The original of the present Declaration will remain deposited in the archives of the Government of the French Republic, which will transmit a certified copy to each of the Powers signatory of the Treaty of Peace of even date.

Done at Lausanne...........192...

(Signatures and Seals.)

No. 45.

Document No. V. of Final Act.

PROJET DE DECLARATION RELATIVE A LA PARTICIPATION DE L'ALBANIE AU PAIEMENT DE LA DETTE PUBLIQUE OTTOMANE.

L'Albanie déclare accepter de supporter les charges financières et obligations économiques qui lui incombent en tant que territoire détaché de l'ancien empire ottoman, et qui lui seront fixées conformément aux dispositions du Traité de Paix signé à Lausanne le........................19....

En foi de quoi le soussigné, après avoir exhibé aux Puissances signataires dudit Traité de Paix ses pleins pouvoirs trouvés en bonne et due forme, a signé la présente Déclaration.

L'original de la présente Déclaration restera déposé dans les archives de la République Française, qui en délivrera des expéditions authentiques à chacune desdites Puissances ainsi qu'à l'Albanie et la Bulgarie.

Fait à Lausanne, le...........19...

DRAFT DECLARATION RESPECTING THE PARTICIPATION OF ALBANIA IN THE PAYMENT OF THE OTTOMAN PUBLIC DEBT.

Albania hereby agrees to bear the financial charges and economic obligations which fall upon her as a territory detached from the former Ottoman Empire, and which will be determined in accordance with the provisions of the Treaty of Peace signed at Lausanne the ...., 19......

In faith whereof the undersigned, after having produced to the Powers signatory to the said Treaty of Peace his full powers, found in good and due form, has signed the present Declaration.

The original of the present Declaration will remain deposited in the Archives of the French Republic and certified copies will be transmitted to each of the said Powers as well as to Albania and Bulgaria.

Done at Lausanne, the ...., 19......

No. 46.

Document No. VI. of Final Act.

PROJET DE CONVENTION RELATIVE AU REGIME DU COMMERCE AVEC LA TURQUIE.

L'EMPIRE BRITANNIQUE, la FRANCE, l'ITALIE, le JAPON, la GRECE, la ROUMANIE, l'ETAT SERBE-CROATE-SLOVENE, d'une part,

Et la TURQUIE, d'autre part,

Unanimes à considérer le régime commercial résultant des anciennes capitulations comme ne correspondant plus au progrès économique de la Turquie,

Et animés du désir d'établir leurs relations économiques sur la base du droit et dans les termes les plus propres à encourager le commerce et à faciliter les échanges,

CONVENTION RESPECTING THE COMMERCIAL REGIME WITH TURKEY.

GREAT BRITAIN, FRANCE, ITALY, JAPAN, GREECE, ROUMANIA, and the SERB-CROAT-SLOVENE STATE of the one part,

And TURKEY of the other part,

Considering unanimously that the commercial *régime* resulting from the former Capitulations no longer corresponds to the economic progress of Turkey, and being animated with a desire to establish their economic relations on a basis of equity and under conditions most likely to encourage commerce and to facilitate trade, have

Ont résolu de conclure une Convention à cette fin et ont nommé pour leurs Plénipotentiaires, savoir :

....

....

Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes.

SECTION I.

Article 1.

A partir de la mise en vigueur de la présente Convention, le régime commercial résultant des Capitulations, ainsi que de la Convention du 25 avril 1907, revisée le 23 avril 1911, est abrogé entre la Turquie et les autres Puissances contractantes.

Article 2.

Dès la mise en vigueur de la présente Convention, les tarifs applicables à leur importation en Turquie aux produits naturals ou fabriqués originaires et en provenance des territoires des autres pays contractants, seront ceux du tarif spécifique ottoman mis en vigueur le 1 septembre 1916, payables en monnaie turque.

Article 3.

Les coefficients de majoration applicables aux droits inscrits au tarif de 1916 perçus en monnaie papier, seront ceux qui étaient en vigueur au 15 décembre 1922.

Toutefois, les articles qui, à la même date étaient prohibés ou qui étaient soumis à un coefficient supérieur à 12, seront ramenés au dit coefficient. Les articles énumérés au Tableau annexe I seront soumis au coefficient 8.

resolved to conclude a Convention for this purpose and have appointed the following to be their plenipotentiaries :—

who, having produced their full powers, found in good and due form, have agreed as follows :—

SECTION I.

Article 1.

From the coming into force of the present Convention, the commercial *régime* arising from the Capitulations as well as from the Convention of 25th April, 1907, revised on the 23rd April, 1911, is abrogated between Turkey and the other contracting Powers.

Article 2.

From the coming into force of the present Convention, the tariffs applicable on the importation into Turkey of the produce or manufactures originating and emanating from the territories of the other contracting countries shall be those of the Ottoman specific tariff which came into operation on the 1st September, 1916, payable in Turkish money.

Article 3.

The coefficients of increase applicable to the duties prescribed by the tariff of 1916 in paper money, shall be those which were in force on the 15th December, 1922.

Nevertheless, the articles the importation of which was prohibited on that date or which were submitted to a coefficient greater than 12, shall be subjected to that co-efficient. Articles set out in the annexed Schedule shall be submitted to

Les coefficients ci-dessus établis seront maintenus à moins que la différence moyenne entre la livre turque papier et la livre turque or n'ait marqué, un mois durant, une augmentation ou une diminution d'au moins 30% par rapport à la différence qui existait à la date de la mise en vigueur du présent Traité. Dans ce cas, et après chaque revalorisation ou dévaluation de même importance de la devise turque, la Turquie devra diminuer ou pourra augmenter les coefficients dans une proportion égale à la revalorisation ou à la dévaluation constatée par la moyenne mensuelle des changes.

Toutefois, en cas de revalorisation de sa devise, la Turquie ne sera tenue à diminuer le coefficient 5, pour les droits qui y sont actuellement soumis, qu'à partir du moment où ce coefficient dépasserait le coefficient compensatoire de la dévaluation de la devise turque, par rapport à l'or.

En cas de réforme monétaire, les divers cœfficients ci-dessus fixés seraient modifiés en fonction de la différence entre la nouvelle monnaie et l'ancienne, de manière à ne pas altérer l'incidence des droits de douane.

Article 4.

La Turquie s'engage à supprimer dès la mise en vigueur de la présente Convention et à ne pas rétablir ensuite pendant la durée de la présente Convention, toutes prohibitions d'importation et d'exportation autres que celles qui pourraient être nécessaires pour :

(1°) réserver les ressources indispensables à la vie alimentaire et à l'activité économique de la nation ;

the coefficient of 8. The coefficients specified above shall be maintained unless the average difference between the Turkish paper pound and the Turkish gold pound during one month has shown an increase or decrease of at least 30% in comparison with the difference which existed at the date of the coming into force of the present Treaty. In this case, and after each increase or decrease to the same extent in the value of Turkish currency, Turkey shall diminish or shall have the right to increase the coefficients in proportion to the appreciation or depreciation shown by the average monthly exchange.

Nevertheless, in case of the appreciation of her currency, Turkey shall not be obliged to reduce the coefficient 5 with regard to the duties which are actually submitted to that coefficient until this coefficient exceeds the coefficient corresponding to the depreciation in value of Turkish currency as compared with gold.

In the event of a monetary reform, the various coefficients fixed above will be modified to the extent of the difference between the new currency and the old in such a way as not to alter the incidence of these customs duties.

Article 4.

Turkey undertakes to abolish from the coming into force of the present Convention, and not to re-establish during its continuance, all prohibitions of import and export, except those which may be necessary:—

(1) to maintain the resources indispensable for the victualling and the economic activity of the nation ;

(2°) assurer la sécurité de l'Etat ;

(3°) préserver les personnes, les animaux et les plantes contre les maladies contagieuses, épizooties et épiphyties ;

(4°) empêcher l'usage de l'opium et autres toxiques ;

(5°) interdire l'importation des produits alcoholiques dont l'usage est prohibé à l'intérieur ;

(6°) empêcher l'exportation de la monnaie or ou du métal or.

A condition qu'une équitable réciprocité lui soit accordée par chacune des autres Puissances contractantes aux termes de sa législation, la Turquie s'engage à appliquer les prohibitions, sans discrimination d'aucune sorte et, au cas où elle accorderait des dérogations ou licences pour des produits prohibés, à ne point favoriser le commerce d'une autre Puissance contractante ou d'une Puissance quelconque au détriment du commerce d'aucune Puissance contractante.

Article 5.

Aucun droit d'accise, de consommation, d'octroi et en général aucun droit ou taxe intérieure ou locale ne sera applicable en Turquie aux merchandises originaires et en provenance des autres pays contractants que dans la mesure où il est perçu sur des articles indentiques et similaires dont une production effective existe en Turquie.

En outre, la Turquie pourra continuer à percevoir dans les mêmes conditions d'égalité entre ses ressortissants et les ressortissants des autres pays contractants pour les produits énumérés au Tableau de l'annexe II les droits de consommation indiqués audit Tableau.

Article 6.

Sous condition d'une équitable réciprocité que chacune des autres

(2) to ensure the security of the State ;

(3) to protect persons, animals and plants against contagious diseases, epizooties, and epiphyties ;

(4) to prevent the use of opium and other poisons ;

(5) to prohibit the import of alcoholic products, the use of which is forbidden in the country ;

(6) to prevent the export of gold money or gold metal.

Subject to equitable reciprocity being accorded to her by each of the other contracting Powers in accordance with its legislation, Turkey undertakes to apply the prohibitions without discrimination of any kind, and in the event of her granting exemptions or licences in respect of prohibited produce, not to favour in any way the trade of any contracting Power or of any other Power to the prejudice of the trade of any contracting Power.

Article 5.

No excise, consumption, octroi, or any other duty or tax, internal or local, shall be applicable in Turkey to goods originating or emanating from the other contracting countries, except to the extent to which it is exacted in respect of identical and similar articles of which there is a substantial production in Turkey.

Nevertheless, Turkey may continue to exact under the same conditions of equality between her nationals and the nationals of other contracting countries, the consumption duties in respect of the produce set out in Schedule 2.

Article 6.

Subject to an equitable reciprocity being accorded to Turkey

Puissances contractantes accordera à la Turquie, conformément à sa législation, tout droit d'exportation que la Turquie aura établi ou pourrait éventuellement établir sur un produit quelconque, natural ou fabriqué, sera également appliqué à tous pays destinataires, sans que par un moyen direct ou indirect ou par des surtaxes ou exonérations de quelque nature et sous quelque dénomination que ce soit, il puisse être institué une discrimination au détriment du commerce de l'une quelconque des autres Puissances contractantes.

Article 7.

Le bénéfice des dispositions des articles 2 à 6 est accordé en Turquie pour une durée de cinq* années, à dater de la mise en vigueur de la présente Convention, à chacune des autres Puissances contractantes, lesquelles bénéficieront en outre de tout traitement plus favorable, que, pour les matières visées aux dits articles, la Turquie pourrait accorder a tout autre pays soit en vertu de conventions anciennes, soit en vertu de mesures et conventions nouvelles, à l'exclusion toutefois des avantages spéciaux qu'en matière de tarifs ou généralement en toute matière commerciale, la Turquie pourrait accorder à l'un quelconque des territoires détachés de la Turquie en vertu du Traité de paix en date de ce jour.

Article 8.

La bénéfice des dispositions des articles 2 à 7 ne pourra toutefois être réclamé par aucune des Puissances contractantes qui n'accorderait pas à la Turquie, pendant la même période de cinq* ans, un traitement aussi favorable que celui qu'aux termes de sa législation respective, elle peut accorder à tous autres pays étrangers.

by each of the other contracting Powers in accordance with its legislation, every export duty, which Turkey may have imposed or may impose on any goods, natural or manufactured, shall be applied equally whatever the country of destination. No discrimination to the prejudice of the commerce of any one of the Contracting Powers shall be established by any means, direct or indirect, or by any sur-tax or exemptions of any nature, or under any name whatsoever.

Article 7.

The benefit of the provisions of Articles 2 to 6 above is granted in Turkey for a period of 5* years from the coming into force of the present Convention to each of the contracting Powers, who will further benefit from any more favourable treatment in respect of the matters referred to in the said articles which Turkey may grant to any other country, whether by virtue of previous conventions or of new measures and conventions, except such advantages as regards tariffs or generally in regard to commercial matters which Turkey may grant to any one of the territories detached from Turkey by virtue of the Treaty of Peace of even date.

Article 8.

The benefit of the provisions of Articles 2 to 7 above cannot be claimed by any of the contracting Powers which does not grant to Turkey during the same period of five* years a treatment as favourable as that which it can grant to other foreign countries in accordance with the terms of its legislation.

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* Subsequently reduced to one year in the case of European countries whose territory adjoins that of Turkey; *see* page 833, paragraph 6.

Article 9.

Les dispositions de la présente Section sont conclues pour une durée de cinq* années. La Turquie s'engage à entreprendre à tout moment et à poursuivre activement, sur la demande qui lui en serait faite par une autre Puissance contractante, avant l'expiration de cette période, des négociations en vue de la conclusion de traités de commerce.

Ces Traités seront conclus sans porter atteinte à l'équitable traitement du commerce stipulé à l'article 23 (*e*) du Pacte de la Société des Nations.

ANNEXE I.

Liste des articles soumis au coefficient 8.

65 Pommes de terre.
69 Oranges.
121 Préparations sucrées.
130 Eaux Minérales.
178 Peaux vernies.
180 Peaux de porc.
185-187-188 Chaussures.
192 Gants.
200-201 Pelleteries brutes ou ouvrées.
217-218 Meubles.
270 les articles actuellement prohibés.
273-274 et 275 Broderies, dentelles et rubans de coton.
302 Bourre de soie.
305 Gaze, etc.
306 Tulle de soie, etc.
308 Tissus de soie.
311-312 Bonneterie de soie.
314 Passementerie de soie.
324 Châles et ceintures de laine.
339 Vêtements.
348 Ombrelles, parapluies, parasols, etc.

ANNEXE II.

Taxes de consommation.

Thé ...	... 40	piastres	par	kilo.
Café ...	... 20	„	„	„
Pétrole ...	... 6	„	„	„
Riz ...	... 10	„	„	„
Margarine	.. 80	„	„	„
Bougies de stearine.	30	„	„	„

Article 9.

The provisions of this section remain in force for a period of five* years.

At the request of any other contracting Power, made before the expiration of this period, Turkey undertakes to begin at any time, and actively to proceed with, negotiations for the conclusion of Treaties of Commerce. These Treaties will be concluded without infringing the equitable treatment of commerce provided for by Article 23 (*e*) of the Covenant of the League of Nations.

ANNEX I.

List of articles subject to the coefficient 8.

65 Potatoes.
69 Oranges.
121 Confectionery (sweetmeats).
130 Mineral waters.
178 Dressed leather.
180 Pigskin.
185, 187, 188 Footwear.
192 Gloves.
200, 201 Peltry, raw or prepared.
217, 218 Furniture.
270 Articles actually prohibited.
273, 274, 275 Embroidery, Lace, and Cotton Ribbons.
302 Silk waste.
305 Gauze, etc.
306 Silk Tulle, etc.
308 Silk Tissue.
311, 312 Silk Hosiery.
314 Silk Passementerie.
324 Woollen Shawls, and Belts.
339 Clothing.
348 Umbrellas, Parasols, etc.

ANNEX II.

Tea ...	... 40	piastres	per	kilo.
Coffee ...	... 20	„	„	„
Petroleum	... 6	„	„	„
Rice ...	... 10	„	„	„
Margarine	... 80	„	„	„
Candles, stearic	30	„	„	„

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* Subsequently reduced to one year in the case of European countries whose territory adjoins that of Turkey; *see* page 833, paragraph 6.

Savon ordinaire	5 piastres par kilo.
Sacs neufs et usagés.	5 " " "
Epices	30 " " "
Allumettes ...	½ " " boite.
Allumettes bougies.	1 " " "
Papier à cigarettes.	1 " " 50 feuilles.
Briquets... ...	25 " " briquet.
Sucre	15 " " kilo.
Biscuits ... Chocolat ... Lait condensé ... Confiseries ... Boissons non alcooliques (gazeuses et limonades).	Soumis à une taxe de consommation d'après le pourcentage de sucre contenu.

SECTION II.

Article 10.

La Turquie s'engage, à condition qu'un traitement réciproque lui soit accordé en la matière, à accorder aux navires des autres Puissances contractantes un traitement égal à celui qu'elle accorde aux navires nationaux ou un traitement plus favorable qu'elle accorde ou pourrait accorder aux navires de toute autre Puissance.

Le droit est expressément reconnu aux Hautes Parties Contractantes de réserver au pavillon national la pêche, le cabotage maritime, c'est-à-dire le transport par mer de marchandises embarquées dans un port du territoire national vers un autre port du même territoire et les services des ports, c'est-à-dire le remorquage, le pilotage et tous services intérieurs de quelque nature que ce soit.

Si la Turquie réserve au pavillon national le cabotage maritime et la pêche, elle pourra néanmoins accorder à cet égard un traitement spécial au pavillon de l'un quelconque des territoires détachés en vertu du Traité de paix en date de ce jour, sans que le bénéfice de ce traitement puisse être réclamé par d'autres pavillons.

La Turquie permettra à titre transitoire pendant une période de cinq ans le transport de mar-

Ordinary soap...	5 piastres per kilo.
Sacks, old & new	5 " " "
Spices	30 " " "
Matches ...	½ piastre per box.
Wax matches ..	1 " " "
Cigarette paper..	1 piastre per 50 sheets.
Tinder boxes ...	25 piastres per tinder box.
Sugar	15 " " kilo.
Biscuits ... Chocolate ... Condensed milk Sweetstuffs ... Non - Alcoholic beverages (gazeuses and limonades).	Subject to a consumption tax according to percentage of sugar they contain.

SECTION II.

Article 10.

Turkey undertakes, on condition that reciprocity is accorded in this matter, to grant to the ships of the other Contracting Powers a treatment equal to that which she accords to national ships, or any more favourable treatment that she grants or may grant to the ships of any other Power.

The right of the High Contracting Parties is expressly recognised of reserving to the national flag, fishing, maritime cabotage, that is to say, transport by sea of goods embarked in a port of one national territory for another port in the same territory and port services, that is to say, towage, pilotage and all interior services of whatever nature they may be.

If Turkey reserves for her national flag maritime cabotage and fishing, she may, nevertheless, in this respect grant special treatment to the flag of any one of the territories detached from Turkey by the Treaty of even date, without the benefit of this treatment being able to be claimed by other flags.

As a transitory provision Turkey will permit for a period of five years the transport of chandises et voyageurs d'un port turc à un autre port turc aux entreprises qui ressortissent aux autres pays contractants et qui ne seraient point affectées exclusivement à ce trafic.

Article 11.

L'égalité de traitement sera accordée à titre réciproque en ce qui concerne la droit d'importer ou d'exporter toute espèce de marchandise ou de transporter les voyageurs à destination ou provenance du pays, et la jouissance de toutes facilités quant au stationnement, au chargement et au déchargement des vaisseaux aux ports, docks, quais et rades.

Il y aura aussi une égalité absolue, sous la même condition de réciprocité en ce qui concerne les droits, charges et paiements de toute espèce prélevés sur les navires, comme les droits sanitaires, les droits de port, de quai, de mouillage, de pilotage, de quarantaine, de phares et autres droits similaires perçus au nom ou au profit du gouvernement, de fonctionnaires, des individus privés, des associations ou des établissements de toute espèce.

La Turquie s'engage de même et moyennant réciprocité à ne grever les marchandises importées ou exportées d'aucun droit différentiel, surtaxe ou majoration de quelque nature ou sous quelque dénomination que ce soit, fondés sur le pavillon du navire importateur ou exportateur, sur les ports d'arrivée ou de départ, sur le voyage du navire ou sur les escales, les droits et taxes imposables aux marchandises importées ou exportées n'étant déterminés que par leur origine et provenance ou leur destination et étant également applicables pour toutes les autres Puissances contractantes, en vertu des dispositions de la Section I.

goods and passengers from one Turkish port to another Turkish port by undertakings of other Contracting States which do not confine themselves exclusively to this traffic.

Article 11.

Subject to reciprocity, equality of treatment shall be granted as regards the right to import or export goods of any description or to transport passengers going to or coming from the country and the enjoyment of all facilities with regard to stationing, loading and unloading of vessels at ports, docks, quays and roads.

There shall also be an absolute equality, under the same condition of reciprocity, as regards duties, charges and payments of all kinds levied on ships, such as sanitary duties, port, quay, harbour, pilotage, quarantine, lighthouse and other similar duties levied in the name of or for the profit of the Government, public functionnaries, private individuals, corporations or establishments of any kind.

Turkey also undertakes, on condition of reciprocity, not to subject imported or exported goods to any differential due, surtax, or increase of any nature or kind based on the flag of the ship by which the goods are imported or exported, on the ports of arrival or departure, on the voyage of the ship or the ports at which it has called, the dues and taxes leviable on goods imported or exported being determined only on their origin or their destination and being applied equally as regards all the Contracting Powers in accordance with the provisions of Section I.

Article 12.

Toute espèce de certificat ou de documents ayant rapport aux navires et bateaux, à leurs cargaisons et à leurs passagers qui étaient reconnus comme valables par la Turquie avant la guerre, ou qui pourront ultérieurement être reconnus comme valables par les principaux Etats maritimes seront reconnus par la Turquie, vis-à-vis des navires ressortissant aux autres Puissances contractantes, comme valables et comme équivalents aux certificats correspondants octroyés à des navires et bateaux turcs.

Article 13.

Les dispositions de la présente Section seront appliquées par les Hautes Parties Contractantes pendant une période de dix années à compter da la mise en vigueur de la présente Convention.

SECTION 3.

Article 14.

La Turquie s'engage à prendre toutes les mesures législatives ou administratives et à permettre tout recours en justice à l'effet de garantir les produits naturels ou fabriqués originaires de l'une quelconque des autres Puissances contractantes contre toute forme de concurrence déloyale dans les transactions commerciales.

La Turquie s'engage à réprimer et prohiber par des sanctions appropriées l'importation ou l'exportation, ainsi que la fabrication, la circulation, la vente et la mise en vente à l'intérieur, de tous produits ou marchandises qui portent sur eux-mêmes ou sous leur conditionnement immédiat ou sur leur emballage extérieur des marques, noms, inscriptions ou signes quelconques comportant, directement ou indirectement, de fausses indications sur l'origine, l'espèce, la nature ou les qualités spécifiques de ces produits ou marchandises.

Article 12.

All classes of certificates or documents relating to vessels, their cargoes and passengers which were recognised as valid by Turkey before the war or which may hereafter be recognised as valid by the principal maritime States shall be recognised by Turkey as regards the vessels belonging to the other Contracting Powers as valid and as equivalent to the corresponding certificates issued to Turkish vessels.

Article 13.

The provisions of the present Section shall be applied by the High Contracting Parties for a period of ten years from the coming into force of the present Convention.

SECTION III.

Article 14.

Turkey undertakes to adopt all the necessary legislative and administrative measures and to allow access to the Courts in order to protect goods the produce or manufacture of any one of the other Contracting Powers from all forms of unfair competition in commercial transactions.

Turkey undertakes to prohibit and repress by appropriate remedies the importation, exportation, manufacture, distribution, sale or offering for sale in her territory of all goods bearing upon themselves or their get-up or wrappings, any marks, names, devices or descriptions whatsoever which are calculated to convey, directly or indirectly, false indications of the origin, type, nature or special characteristics of such goods.

Article 15.

La Turquie, à la condition qu'un traitement réciproque lui soit accordé en cette matière, s'engage à se conformer aux lois, ainsi qu'aux décisions administratives ou judiciaires prises conformément à ces lois, en vigueur dans un autre pays contractant et régulièrement notifiées à la Turquie par les autorités compétentes, déterminant ou règlementant le droit à une appellation régionale pour les produits qui tirent du sol ou du climat leurs qualités spécifiques ou les conditions dans lesquelles l'emploi d'une appellation régionale peut être autorisée ; et l'importation, l'exportation ainsi que la fabrication, la circulation, la vente ou mise en vente des produits ou marchandises portant des appellations régionales, contrairement aux lois ou décisions précitées, seront interdites par la Turquie et réprimées par les mesures prescrites à l'article 14.

Article 16.

La Turquie s'engage, avant l'expiration d'un délai de douze mois à partir de la mise en vigueur de la présente Convention :

(1°) à adhérer dans les formes prescrites à la Convention Internationale de Paris du 20 mars 1883 pour la protection de la propriété industrielle, revisée à Washington le 2 juin 1911, ainsi qu'à la Convention Internationale de Berne du 9 septembre 1886 pour la protection des œuvres littéraires et artistiques, revisée à Berlin le 13 novembre 1908 et au Protocole Additionnel de Berne du 20 mars 1914 relatif à la protection des œuvres littéraires et artistiques ;

(2°) dès avant l'expiration du même délai, à reconnaître et protéger par législation effective, conformément aux principes des-

Article 15.

Turkey undertakes, on condition that reciprocity is accorded in these matters, to respect any law or any administrative or judicial decision given in conformity with such law in force in any other Contracting State and duly communicated to her by the proper authorities, defining or regulating the right to any regional appellation in respect of products which derive their special qualities from the soil or the climate, or the conditions under which the use of any such appellation may be permitted; and the importation, exportation, manufacture, distribution, sale or offering for sale of products or articles bearing regional appellations inconsistent with such laws or orders shall be prohibited by Turkey and repressed by the measures prescribed by Article 14.

Article 16.

Turkey undertakes within a period of twelve months from the coming into force of the present Convention :—

(1) To adhere in the prescribed form to the International Convention of Paris of the 20th March, 1883, for the protection of industrial property, revised at Washington on the 2nd of June, 1911, and the International Convention of Berne of the 9th September, 1886, for the protection of literary and artistic works, revised at Berlin on the 13th November, 1908, and the additional protocol of Berne of the 20th of March, 1914, relating to the protection of literary and artistic works.

(2) Within the same period to recognise and protect by effective legislation in accordance with the principles of the

dites Conventions, la propriété industrielle, littéraire et artistique des nationaux des autres Puissances contractantes.

Article 17.

Des Conventions spéciales entre les pays intéressés régleront toutes questions concernant les archives, registres et plans relatifs au service de la propriété industrielle, littéraire et artistique, ainsi que leur transmission ou communication éventuelle par les offices de la Turquie aux offices des Etats en faveur desquels des territoires sont détachés de la Turquie.

Article 18.

Les Puissances contractantes se réservent le droit de déclarer au moment de la mise en vigueur de la présente Convention que les dispositions de ladite Convention ne s'appliqueront pas à tout ou partie de leurs Dominions jouissant d'un gouvernement autonome, de leurs colonies, pays de protectorat, possessions, ou territoires d'outre-mer soumis à leur souveraineté ou autorité et, dans ce cas, la Turquie serait déliée des obligations qui résultent pour elle de la présente Convention envers lesdits Dominions, colonies, pays de protectorat, possessions et territoires.

Toutefois, lesdites Puissances pourront adhérer ultérieurement, au nom de tout Dominion jouissant d'un gouvernement autonome, colonie, pays de protectorat, possession ou territoire, pour lesquels elles auraient, aux termes de la présente Convention, fait une déclaration qui l'excluait, de même qu'elles pourront dénoncer séparément les stipulations ci-dessus au nom de tout Dominion jouissant d'un gouvernement autonome, colonie, pays de protectorat, possession ou territoire soumis à leur souveraineté ou autorité, après avoir, a cet effet, donné un préavis de six mois.

said Conventions, the industrial, literary and artistic property of the nationals of the other Contracting Powers.

Article 17.

Special conventions between the countries interested shall determine all questions relative to the records, registers and schemes in connection with the duties relating to industrial, literary and artistic property and their eventual transmission or communication by the Turkish offices to the offices of the States in favour of which territory is detached from Turkey.

Article 18.

The Contracting Powers reserve the right of declaring at the time of the coming into force of the present Convention, that its provisions do not apply to the whole or part of their Dominions enjoying responsible government, of their colonies, protectorates, possessions or territories beyond the sea subject to their sovereignty or authority, and in this case Turkey will be released from her obligations under the present Convention to the said Dominions, colonies, protectorates, possessions and territories.

Moreover, the said Powers may adhere subsequently in the name of every Dominion enjoying responsible government, colony, protectorate, possession or territory for which they could in accordance with the terms of the present Convention make a declaration of exclusion, and they can also denounce separately the above provisions in the name of every Dominion enjoying responsible government, colony, protectorate, possession or territory subject to their sovereignty or authority after having given six months' notice to this effect.

Article 19.

Les Puissances non signataires seront admises à adhérer à la présente Convention.

Cette adhésion sera signifiée, par la voie diplomatique, au Gouvernement de la République française et par celui-ci à tous les Etats signataires ou adhérents. Elle portera effet à dater du jour de la signification au Gouvernement français.

Article 20.

La présente Convention sera ratifiée.

Les ratifications en seront déposées à Paris aussitôt que faire se pourra.

Elle entrera en vigueur dans les mêmes conditions que le Traité de paix signé à la date de ce jour.

En foi de quoi les Plénipotentiaires susnommés ont signé la présente Convention.

Fait à Lausanne le................. 19... en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.

....

....

(Signatures et cachets.)

Article 19.

Non-signatory Powers shall have the right to adhere to this Convention.

This adhesion shall be notified through the diplomatic channel to the Government of the French Republic and by that Government to all the States which are signatories or have adhered. It shall take effect from the date of the notification to the French Government.

Article 20.

The present Convention shall be ratified.

The ratifications shall be deposited at Paris as soon as possible.

It shall enter into force in the same way as the Treaty of Peace of even date.

In faith whereof, the abovementioned Plenipotentiaries have signed the present Convention.

Done at Lausanne the.. .... 19... in one original, which will be deposited in the archives of the Government of the French Republic, which will transmit a ratified copy thereof to each of the Signatory Powers.

....

....

(Signatures and seals.)

No. 47.

Document No. VII. of Final Act.

PROJET DE DECLARATION RELATIVE A L'AMNISTIE.

Les Puissances signataires du Traité de Paix en date de ce jour.

Egalement animées du désir de faire l'oubli sur les événements qui ont troublé la paix en Orient.

Sont tombés d'accord pour déclarer :

I.

Aucun des habitants de la Turquie et réciproquement aucun

DECLARATION RELATING TO AN AMNESTY.

The Signatory Powers of the Treaty of Peace of even date, being equally desirous to cause the events which have troubled the peace in the East to be forgotten, have agreed to make the following declaration :

I.

No inhabitant of Turkey, and reciprocally no inhabitant of des habitants de la Grèce ne devra être inquiété ou molesté en Turquie et réciproquement en Grèce, sous aucun prétexte, en raison de sa conduite militaire ou politique ou en raison d'une assistance quelconque qu'il aurait donnée à une Puissance étrangère signataire du Traité de Paix en date de ce jour ou à ses ressortissants, entre le 1er août 1914 et le 20 novembre 1922.

II.

Aucun des habitants des territoires détachés de la Turquie en vertu dudit Traité de Paix ne devra également être inquiété ou molesté soit en raison de son attitude politique contraire à la Turquie ou favorable à celle-ci, pendant la période du 1er août 1914 au 20 novembre 1922, soit en raison du réglement de sa nationalité en vertu dudit Traité.

III.

Amnistie pleine et entière sera respectivement accordée par le Gouvernement turc et par le Gouvernement hellénique pour tous crimes et délits commis durant la même période en connexion évidente avec les événements politiques survenus pendant cette période.

IV.

Toutes condamnations prononcées de ce chef seront annulées et toutes poursuites en cours seront arrêtées.

V.

Le Gouvernement turc, partageant le souci de pacification genérale dont sont animées toutes les Puissances, déclare son intention de ne pas contester les opérations effectuées sous les auspices des Alliés, pendant la période comprise entre le 20 Octobre 1918 et le 20 Novembre 1922, dans le but de rétablir les familles dis-

Greece, shall be disturbed or molested in Turkey, and reciprocally in Greece, under any pretext whatsoever, on account of any military or political action taken by him, or any assistance of any kind given by him to a foreign Power signatory of the Treaty of Peace of even date, or to the nationals of such Power, between 1st August, 1914, and 20th November, 1922.

II.

Similarly no inhabitant of the territories detached from Turkey under the said Treaty of Peace shall be disturbed or molested either on account of his political attitude against or in favour of Turkey during the period between 1st August, 1914, and 20th November, 1922, or of the determination of his nationality under the said Treaty.

III.

Full and complete amnesty shall be respectively granted by the Turkish Government and by the Greek Government for all crimes or offences committed during the same period which were evidently connected with the political events which have taken place during that period.

IV.

All sentences pronounced for the above reasons shall be annulled, and any proceedings already instituted shall be arrested.

V.

The Turkish Government, sharing the desire for general pacification with which all the Powers are animated, declare their intention not to contest the measures carried out under the auspices of the Allied Powers during the period between 20th October, 1918, and 20th November, 1922, with the object of re-establishing families persées en raison de la guerre et de replacer les ayants-droit légitimes en possession de leurs biens.

Toutefois, cette intention n'exclut pas la possibilité d'une revision des opérations susvisées en cas de recours des intéressés. Les réclamations relatives aux personnes et aux biens seront examinées par une Commission composée d'un délégué du Croissant-Rouge et d'un Délégué de la Croix-Rouge. En cas de divergence, ces derniers choisiront un surarbitre ; s'ils ne peuvent pas s'entendre sur ce choix, le surarbitre sera désigné par le Président de la Cour Permanente de Justice Internationale de La Haye.

Fait à Lausanne, le................. 19......en un seul exemplaire qui restera déposé dans les archives du Gouvernement de la République française, et dont une expédition authentique sera remise à chacune des Puissances signataires.

(Signatures.)

scattered owing to the war and of replacing legitimate proprietors in possession of their goods.

However, this intention does not exclude the possibility of any revision of the above-mentioned measures in the event of a request to that effect being made by the interested parties. Claims respecting persons and goods shall be examined by a Commission composed of a delegate of the Red Crescent and a delegate of the Red Cross. In the event of a dispute these delegates will choose an umpire ; if they are unable to agree on that choice the umpire will be appointed by the President of the Permanent Court of International Justice of The Hague.

Done at Lausanne the .... in a single copy which will remain deposited in the archives of the Government of the French Republic and of which an authenticated copy shall be forwarded to each of the Signatory Powers.

No. 48.

Document No. VIII. of Final Act.

CONVENTION CONCERNANT L'ECHANGE DES POPULATIONS GRECQUES ET TURQUES.

Signé à Lausanne le 30 janvier 1923.

Le Gouvernement de la Grande Assemblée Nationale de la Turquie et le Gouvernement hellénique sont convenus des dispositions suivantes :

Article 1.

Il sera procédé dès le 1er mai 1923 à l'échange obligatoire des ressortissants turcs de religion grecque-orthodoxe établis sur les territoires turcs et des ressortissants grecs de religion musulmane établis sur les territoires grecs.

Ces personnes ne pourront venir se réetablir en Turquie ou, respec-

CONVENTION CONCERNING THE EXCHANGE OF GREEK AND TURKISH POPULATIONS.

Signed at Lausanne the 30th of January 1923.

The Government of the Grand National Assembly of Turkey and the Greek Government have agreed upon the following provisions :

Article 1.

As from 1st May, 1923, there shall take place a compulsory exchange of Turkish nationals of the Greek Orthodox religion established in Turkish territory, and of Greek nationals of the Moslem religion established in Greek territory.

These persons shall not return to live in Turkey or Greece retivement en Grece, sans l'autorisation du Gouvernement turc ou respectivement du Gouvernement hellénique.

Article 2.

Ne seront pas compris dans l'échange prévu à l article 1er :

(*a*) les habitants grecs de Constantinople ;
(*b*) les habitants musulmans de la Thrace occidentale.

Seront considérés comme habitants grecs de Constantinople tous les Grecs déjà établis avant le 30 octobre 1918 dans les circonscriptions de la Préfecture de la Ville de Constantinople, telles qu'elles sont délimitées par la loi de 1912.

Seront considérés comme habitants musulmans de la Thrace occidentale tous les musulmans établis dans la région à l'Est de la ligne-frontière établie en 1913 par le Traité de Bucarest.

Article 3.

Les Grecs et les musulmans ayant déjà quitté depuis le 18 octobre 1912 les territoires dont les habitants grecs et turcs doivent être respectivement échangés, seront considérés comme compris dans l'échange prévu dans l'article 1er.

L'expression " émigrant " dans la présente Convention comprend toutes les personnes physiques et morales devant émigrer ou ayant émigré depuis 18 octobre 1912.

Article 4.

Tous les hommes valides appartenant à la population grecque dont les familles ont déjà quitté le territoire turc et qui sont actuellement retenus en Turquie, constitueront le premier contingent de Grecs envoyés en Grèce conformément à la présente Convention.

spectively without the authorisation of the Turkish Government or of the Greek Government respectively.

Article 2.

The following persons shall not be included in the exchange provided for in Article 1 :

(*a*) the Greek inhabitants of Constantinople.
(*b*) the Moslem inhabitants of Western Thrace.

All Greeks who were already established before 30th October, 1918, within the areas under the Prefecture of the City of Constantinople, as defined by the law of 1912 shall be considered as Greek inhabitants of Constantinople.

All Moslems established in the region to the east of the frontier line laid down in 1913 by the Treaty of Bucharest shall be considered as Moslem inhabitants of Western Thrace.

Article 3.

Those Greeks and Moslems who have already, and since 18th October, 1912, left the territories the Greek and Turkish inhabitants of which are to be respectively exchanged, shall be considered as included in the exchange provided for in Article 1.

The expression " emigrant " in the present Convention includes all physical and juridical persons who have been obliged to emigrate or have emigrated since 18th October, 1912.

Article 4.

All able-bodied men belonging to the Greek population, whose families have already left Turkish territory, and who are now detained in Turkey, shall constitute the first instalment of Greeks sent to Greece in accordance with the present Convention.

Article 5.

Sous réserve des stipulations des articles 9 et 10 de la présente Convention, aucune atteinte ne sera portée aux droits de propriété et créances des Grecs de la Turquie, ou des musulmans de la Grèce par suite de l'échange à effectuer en vertu de la présente Convention.

Article 6.

Il ne pourra être apporté aucun obstacle, pour quelque cause que ce soit, au départ d'une personne appartenant aux populations à échanger. En cas de condamnation définitive à une peine afflictive et en cas de condamnation non encore définitive ou de poursuite pénale contre un émigrant, ce dernier sera livré, par les autorités du pays poursuivant, aux autorités du pays où il se rend, afin qu'il purge sa peine ou qu'il soit jugé.

Article 7.

Les émigrants perdront la nationalité du pays qu'ils abandonnent, et ils acquerront celle du pays de destination dès leur arrivée sur le territoire de ce pays.

Les émigrés qui auraient déjà quitté l'un ou l'autre des deux pays et qui n'auraient pas encore acquis leur nouvelle nationalité, acquerront cette nationalité à la date de la signature de la présente Convention.

Article 8.

Les émigrants seront libres d'emporter avec eux ou de faire transporter leurs biens meubles de toute nature sans qu'il leur soit imposé de ce chef aucun droit, soit de sortie, soit d'entrée, ni aucune autre taxe.

Article 5.

Subject to the provisions of Articles 9 and 10 of the present Convention, the rights of property and monetary assets of Greeks in Turkey or Moslems in Greece shall not be prejudiced in consequence of the exchange to be carried out under the present Convention.

Article 6.

No obstacle may be placed for any reason whatever in the way of the departure of a person belonging to the populations which are to be exchanged. In the event of an emigrant having received a definite sentence of imprisonment, or a sentence which is not yet definitive, or of his being the object of criminal proceedings he shall be handed over by the authorities of the prosecuting country to the authorities of the country whither he is going, in order that he may serve his sentence or be brought to trial.

Article 7.

The emigrants will lose the nationality of the country which they are leaving, and will acquire the nationality of the country of their destination, upon their arrival in the territory of the latter country.

Such emigrants as have already left one or other of the two countries and have not yet acquired their new nationality, shall acquire that nationality on the date of the signature of the present Convention.

Article 8.

Emigrants shall be free to take away with them or to arrange for the transport of their movable property of every kind, without being liable on this account to the payment of any export or import duty or any other tax.

De même, les membres de toute communauté (y compris le personnel des mosquées, tekkes, meddresses, églises, couvents, écoles, hôpitaux, sociétés, associations et personnes morales, ou autres fondations de quelque nature que ce soit), qui doit quitter le territoire d'un des Etats contractants en vertu de la présente Convention, auront le droit d'emporter librement ou de faire transporter les biens meubles appartenant à leurs communautés.

Les plus grandes facilités de transport seront fournies par les autorités des deux pays, sur la recommandation de la Commission mixte prévue dans l'article 11.

Les émigrants qui ne pourraient pas emporter tout ou une partie de leurs biens meubles pourront les laisser sur place. Dans ce cas, les autorités locales seront tenues d'établir contradictoirement avec l'émigrant l'inventaire et la valeur des biens meubles laissés par lui. Les procès-verbaux contenant l'inventaire et la valeur des biens meubles laissés par l'émigrant seront dressés en quatre exemplaires, dont l'un sera conservé par les autorités locales, le second sera remis à la Commission mixte prévue à l'article 11 pour servir de base à la liquidation prévue à l'article 9, le troisième exemplaire sera remis au Gouvernement du pays d'immigration et le quatrième à l'émigrant.

Article 9.

Les biens immobiliers, ruraux ou urbains, appartenant aux émigrants, au communautés visées à l'article 8, ainsi que les biens meubles laissés par ces émigrants ou communautés, seront liquidés, conformément

Similarly, the members of each community (including the personnel of mosques, tekkes, meddresses, churches, convents, schools, hospitals, societies, associations and juridical persons, or other foundations of any nature whatever) which is to leave the territory of one of the contracting States under the present Convention, shall have the right to take away freely or to arrange for the transport of the movable property belonging to their communities.

The fullest facilities for transport shall be provided by the authorities of the two countries, upon the recommendation of the Mixed Commission provided for in Article 11.

Emigrants who may not be able to take away all or part of their movable property can leave it behind. In that event, the local authorities shall be required to draw up, the emigrant in question being given an opportunity to be heard, an inventory and valuation of the property left by him. Procès-verbaux containing the inventory and the valuation of the movable property left by the emigrant shall be drawn up in four copies, one of which shall be kept by the local authorities, the second transmitted to the Mixed Commission provided for in Article 11 to serve as the basis for the liquidation provided for by Article 9, the third shall be handed to the Government of the country to which the emigrant is going, and the fourth to the emigrant himself.

Article 9.

Immovable property, whether rural or urban, belonging to emigrants, or to the communities mentioned in Article 8, and the movable property left by these emigrants or communities, shall be liquidated in accordance with aux dispositions ci-après, par la Commission mixte prévue à l'article 11.

Les biens situés dans les régions soumises à l'échange obligatoire et appartenant aux institutions religieuses ou de bienfaisance des communautés établies dans une région non soumise à l'échange, devront également être liquidés dans les mêmes conditions.

Article 10.

La liquidation des biens mobiliers et immobiliers appartenant aux personnes ayant déjà quitté les territoires des Hautes Parties contractantes et considérées en vertu de l'article 3 de la présente Convention comme rentrant dans l'échange des populations, sera effectuée conformément à l'article 9 et indépendamment de toutes les mesures de quelque caractère que ce soit qui, conformément aux lois établies et aux règlements de toute nature édictés depuis 18 octobre 1912 en Grèce et en Turquie ou de toute autre manière, ont eu pour résultat une restriction quelconque du droit de propriété sur ces biens, telles que confiscation, vente forcée et autres. Dans le cas où des biens visés au présent article ainsi qu'à l'article 9 auraient été frappés d'une mesure de cette nature, leur valeur sera fixée par la Commission prévue à l'article 11, comme si les mesures en question n'avaient pas été appliquées.

En ce qui concerne les biens expropriés, la Commission Mixte procédera à une nouvelle évaluation de ces biens expropriés depuis le 18 octobre 1912, qui appartenaient aux personnes soumises à l'échange dans les deux pays et qui sont situés dans les territoires soumis à l'échange. La Commission fixera en faveur des propriétaires une compensation qui réparera le préjudice qu'elle

the following provisions by the Mixed Commission provided for in Article 11.

Property situated in the districts to which the compulsory exchange applies and belonging to religious or benevolent institutions of the communities established in a district to which the exchange does not apply, shall likewise be liquidated under the same conditions.

Article 10.

The movable and immovable property belonging to persons who have already left the territory of the High Contracting Parties and are considered, in accordance with Article 3 of the present Convention, as being included in the exchange of populations, shall be liquidated in accordance with Article 9. This liquidation shall take place independently of all measures of any kind whatever, which, under the laws passed and the regulations of any kind made in Greece and in Turkey since 18th October, 1912, or in any other way, have resulted in any restriction on rights of ownership over the property in question, such as confiscation, forced sale, etc. In the event of the property mentioned in this Article or in Article 9 having been submitted to a measure of this kind, its value shall be fixed by the Commission provided for in Article 11, as if the measures in question had not been applied.

As regards expropriated property, the Mixed Commission shall undertake a fresh valuation of such property, if it has been expropriated since 18th October, 1912, having previously belonged to persons liable to the exchange of populations in the two countries, and is situated in territories to which the exchange applies. The Commission shall fix for the benefit of the owners such compensation as

constatera. Le montant de cette compensation sera porté au crédit de ces propriétaires et au débit du Gouvernement sur le territoire duquel se trouvent les immeubles expropriés.

Au cas où les personnes visées aux articles 8 et 9 n'auraient pas touché le revenu des biens de la jouissance desquels elles auraient été privées d'une manière ou d'une autre, la restitution de la valeur de ces revenus leur sera assurée sur la base du rendement moyen d'avant-guerre, suivant les modalités à fixer par la Commission Mixte.

En procédant à la liquidation des biens Wakoufs en Grèce et des droits et intérêts en découlant, ainsi que des fondations analogues appartenant aux Grecs en Turquie, la Commission Mixte prévue à l'article 11 s'inspirera des principes consacrés dans les Traités antérieurs, dans le but de faire valoir pleinement les droits et intérêts de ces fondations et des particuliers qui y sont intéressés.

La Commission Mixte prévue à l'article 11 sera chargée d'appliquer ces stipulations.

Article 11.

Dans un délai d'un mois à partir de l'entrée en vigueur de la présente Convention, il sera créé une Commission Mixte résidant en Turquie ou en Grèce et composée de quatre membres pour chacune des Hautes Parties contractantes et de trois membres choisis par le Conseil de la Société des Nations parmi les ressortissants des Puissances n'ayant pas participé à la guerre de 1914-1918.

will repair the injury which the Commission has ascertained. The total amount of this compensation shall be carried to the credit of these owners and to the debit of the Government on whose territory the expropriated property is situated.

In the event of any persons mentioned in Articles 8 and 9 not having received the income from property, the enjoyment of which they have lost in one way or another, the restoration of the amount of this income shall be guaranteed to them on the basis of the average yield of the property before the war, and in accordance with the methods to be laid down by the Mixed Commission.

The Mixed Commission provided for in Article 11, when proceeding to the liquidation of Wakf property in Greece and of the rights and interests connected therewith, and to the liquidation of similar foundations belonging to Greeks in Turkey, shall follow the principles laid down in previous Treaties with a view to fully safeguarding the rights and interests of these foundations and of the individuals interested in them.

The Mixed Commission provided for in Article 11 shall be entrusted with the duty of executing these provisions.

Article 11.

Within one month from the coming into force of the present Convention a Mixed Commission shall be set up in Turkey or in Greece consisting of four members representing each of the High Contracting Parties, and of three members chosen by the Council of the League of Nations from among nationals of Powers which did not take part in the war of 1914-1918. The Presidency of the Commission shall be exer-

La présidence de la Commission sera assumée à tour de rôle par chacun de ces trois membres neutres.

La Commission Mixte aura le droit de constituer, dans les localitiés où il lui paraîtra nécessaire, des Sous-Commissions travaillant sous ses ordres, et composée chacune d'un membre turc, d'un membre grec, et d'un Président neutre qui sera désigné par la Commission Mixte. La Commission Mixte déterminera les pouvoirs à déléguer aux Sous-Commissions.

Article 12.

La Commission Mixte aura pour attributions de surveiller et faciliter l'émigration prévue par la présente Convention et de procéder à la liquidation des biens mobiliers et immobiliers et prévue aux articles 9 et 10.

Elle fixera les modalités de l'émigration et celles de la liquidation ci-dessus visée.

D'une façon générale, la Commission Mixte aura tous pouvoirs de prendre les mesures que nécessitera l'exécution de la présente Convention et de décider toutes les questions auxquelles cette Convention pourrait donner lieu.

Les décisions de la Commission Mixte seront prises à la majorité des voix.

Toutes les contestations relatives aux biens, droits et intérêts à liquider seront réglées définitivement par elle.

Article 13.

La Commission Mixte aura tout pouvoir pour faire procéder à l'estimation des biens mobiliers et immobiliers qui doivent être liquidés en vertu de la présente Convention, les intéressés étant

cised in turn by each of these three neutral members.

The Mixed Commission shall have the right to set up, in such places as it may appear to them necessary, Sub - Commissions working under its order. Each such Sub-Commission shall consist of a Turkish member, a Greek member and a neutral President to be designated by the Mixed Commission. The Mixed Commission shall decide the powers to be delegated to the Sub-Commission.

Article 12.

The duties of the Mixed Commission shall be to supervise and facilitate the emigration provided for in the present Convention, and to carry out the liquidation of the movable and immovable property for which provision is made in Articles 9 and 10.

The Commission shall settle the methods to be followed as regards the emigration and liquidation mentioned above.

In a general way the Mixed Commission shall have full power to take the measures necessitated by the execution of the present Convention and to decide all questions to which this Convention may give rise.

The decisions of the Mixed Commission shall be taken by a majority.

All disputes relating to property, rights and interests which are to be liquidated shall be settled definitely by the Commission.

Article 13.

The Mixed Commission shall have full power to cause the valuation to be made of the movable and immovable property which is to be liquidated under the present Convention, the in-entendus ou ayant été dûment convoqués pour être entendus.

La base de l'estimation des biens qui doivent être liquidés, sera la valeur de ces biens en monnaie d'or.

Article 14.

La Commission remettra au propriétaire intéressé une déclaration constatant la somme qui lui est due du chef des biens dont il a été dépossédé, biens qui resteront à la disposition du Gouvernement sur le territoire duquel ils sont situés.

Les montants dus sur la base de ces déclarations constitueront une dette du Gouvernement du pays où la liquidation aura eu lieu envers le Gouvernement dont relève l'émigrant. Celui-ci devra en principe recevoir, dans le pays où il emigre, en représentation des sommes qui lui sont dues, des biens d'égale valeur et de même nature que ceux qu'il aura abandonnés.

Tous les six mois, on établira un compte des sommes dues par les Gouvernements respectifs sur la base des déclarations émises comme ci-dessus.

A la liquidation finale, s'il y a équivalence entre les montants respectivement dus, les comptes y relatifs seront compensés. Si l'un des Gouvernements reste débiteur envers l'autre après compensation, le solde débiteur sera payé au comptant. Si le Gouvernement débiteur demande des délais pour ce paiement, la Commission pourra les lui accorder, pourvu que la somme due soit payée au maximum dans trois annuités. La Commission fixera les intérêts à payer pendant ces délais.

Si la somme à payer est assez importante et necessite des délais

terested parties being given a hearing or being duly summoned so that they may be heard.

The basis for the valuation of the property to be liquidated shall be the value of the property in gold currency.

Article 14.

The Commission shall transmit to the owner concerned a declaration stating the sum due to him in respect of the property of which he has been dispossessed, and such property shall remain at the disposal of the government on whose territory it is situated.

The total sums due on the basis of these declarations shall constitute a government debt from the country where the liquidation takes place to the government of the country to which the emigrant belongs. The emigrant shall in principle be entitled to receive in the country to which he emigrates, as representing the sums due to him, property of a value equal to and of the same nature as that which he has left behind.

Once every six months an account shall be drawn up of the sums due by the respective governments on the basis of the declarations as above.

When the liquidation is completed, if the sums of money due to both sides correspond, the accounts relating thereto shall be balanced. If a sum remains due from one of the governments to the other government after a balance has been struck, the debit balance shall be paid in cash. If the debtor government requests a postponement in making this payment, the Commission may grant such postponement, provided that the sum due be paid in three annuities at most. The Commission shall fix the interest to be paid during the period of postponement.

If the sum to be paid is fairly large and requires longer post-plus longs, le Gouvernement débiteur payera au comptant une somme à déterminer par la Commission Mixte jusqu'à concurrence de 20% du montant dû et émettra pour le solde des titres d'emprunt portant un intérêt à fixer par la Commission Mixte, amortissable dans un délai maximum de 20 ans. Le Gouvernement débiteur affectera au service de cet emprunt des gages agréés par la Commission, gages qui seront gérés et dont les revenus seront encaissés par la Commission Internationale en Grèce et par le Conseil de la Dette Publique à Constantinople. A défaut d'accord sur ces gages, il appartiendra au Conseil de la Société des Nations de fixer ceux-ci.

Article 15.

En vue de faciliter l'émigration, des fonds seront avancés à la Commission Mixte par les Etats intéressés, dans les conditions fixées par ladite Commission.

Article 16.

Les Gouvernements de la Turquie et de la Grèce se mettront d'accord avec la Commission Mixte prévue à l'article 11 sur toutes les questions relatives aux notifications à faire aux personnes devant quitter leurs territoires en vertu de la présente Convention et aux ports sur lesquels ces personnes doivent se diriger pour être transportées à leurs pays de destination.

Les Hautes Parties Contractantes s'engagent mutuellement à ce qu'aucune pression directe ou indirecte ne soit exercée sur les populations qui doivent être échangées pour leur faire quitter leurs foyers ou se dessaisir de leurs biens avant la date fixée pour leur départ. Elles s'enga-

ponement, the debtor Government shall pay in cash a sum to be fixed by the Mixed Commission, up to a maximum of 20 per cent. of the total due, and shall issue in respect of the balance loan certificates bearing such interest as the Mixed Commission may fix, to be paid off within 20 years at most. The debtor Government shall assign to the service of these loans pledges approved by the Commission, which shall be administered and of which the revenues shall be encashed by the International Commission in Greece and by the Council of the Public Debt at Constantinople. In the absence of agreement in regard to these pledges, they shall be selected by the Council of the League of Nations.

Article 15.

With a view to facilitating emigration, funds shall be advanced to the Mixed Commission by the States concerned, under conditions laid down by the said Commission.

Article 16.

The Turkish and Greek Governments shall come to an agreement with the Mixed Commission provided for in Article 11 in regard to all questions concerning the notification to be made to persons who are to leave the territory of Turkey and Greece under the present Convention, and concerning the ports to which these persons are to go for the purpose of being transported to the country of their destination.

The High Contracting Parties undertake mutually that no pressure direct or indirect shall be exercised on the populations which are to be exchanged with a view to making them leave their homes or abandon their property before the date fixed for their departure. They likewise

gent également à ne soumettre les émigrants, ayant quitté ou qui doivent quitter le pays, à aucun impôt ou taxe extraordinaire. Aucune entrave ne sera apportée au libre exercice par les habitants des régions exceptées de l'échange en vertu de l'article 2, de leur droit d'y rester ou d'y rentrer et de jouir librement de leurs libertés et de leurs droits de propriéte en Turquie et en Grèce. Cette disposition ne sera pas invoquée comme motif pour empêcher la libre aliénation des biens appartenant aux habitants desdites régions exceptées de l'échange et le départ volontaire de ceux de ces habitants qui désirent quitter la Turquie ou la Grèce.

Article 17.

Les frais d'entretien et de fonctionnement de la Commission Mixte et de ses organes seront supportés par les Gouvernements intéressés dans des proportions à déterminer par la Commission.

Article 18.

Les Hautes Parties Contractantes s'engagent à apporter à leur législation respective les modifications qui seraient nécessaires pour assurer l'exécution de la présente Convention.

Article 19.

La présente Convention aura même force et valeur, au regard des Hautes Parties ici contractantes, que si elle figurait dans le Traité de paix qui sera conclu avec la Turquie. Elle entrera en vigueur immédiatement après la ratification dudit Traité par les deux Hautes Parties Contractantes.

En foi de quoi les Plénipotentiaires soussignés, dont les pleins pouvoir ont été respec-

undertake to impose on the emigrants who have left or who are to leave the country no special taxes or dues. No obstacle shall be placed in the way of the inhabitants of the districts excepted from the exchange under Article 2 exercising freely their right to remain in or return to those districts and to enjoy to the full their liberties and rights of property in Turkey and in Greece. This provision shall not be invoked as a motive for preventing the free alienation of property belonging to inhabitants of the said regions which are excepted from the exchange, or the voluntary departure of those among these inhabitants who wish to leave Turkey or Greece.

Article 17.

The expenses entailed by the maintenance and working of the Mixed Commission and of the organisations dependent on it shall be borne by the Governments concerned in proportions to be fixed by the Commission.

Article 18.

The High Contracting Parties undertake to introduce in their respective laws such modifications as may be necessary with a view to ensuring the execution of the present Convention.

Article 19.

The present Convention shall have the same force and effect as between the High Contracting Parties as if it formed part of the Treaty of Peace to be concluded with Turkey. It shall come into force immediately after the ratification of the said Treaty by the two High Contracting Parties.

In faith whereof, the undersigned Plenipotentiaries, whose respective full Powers have been tivement reconnus en bonne et due forme, ont signé la présente Convention.

Fait à Lausanne, le trente janvier mil neuf cent vingt-trois, en triple exemplaire, dont un sera remis au Gouvernement hellénique et un au Gouvernement de la Grande Assemblée Nationale de Turquie et dont le troisième sera déposé aux archives du Gouvernement de la République française, qui en délivrera des copies authentiques aux autres Puissances signataires du Traité de Paix avec la Turquie.

(L.S.) E. K. VENISELOS.
(L.S.) D. CACLAMANOS
(L.S.) ISMET.
(L.S.) Dr. RIZA NOUR.
(L.S.) HASSAN.

found in good and due form, have signed the present Convention.

DONE at Lausanne, the 30th January, 1923, in three copies, one of which shall be transmitted to the Greek Government, one to the Government of the Grand National Assembly of Turkey, and the third shall be deposited in the archives of the Government of the French Republic, which shall deliver certified copies to the other Powers signatory of the Treaty of Peace with Turkey.

No. 49.

PROTOCOLE.

Les Plénipotentiaires turcs soussignés, dûment autorisés, déclarent que, sans attendre la mise en vigueur de la Convention conclue avec la Grèce, en date de ce jour, relativement à l'échange des populations grecques et turques, et par dérogation à l'Article 1er de cette Convention, le Gouvernement turc, dès la signature du Traité de paix, libérera les hommes valides visés à l'Article 4 de ladite Convention et assurera leur départ.

Fait en triple exemplaire à Lausanne, le trente janvier mil neuf cent vingt-trois.

ISMET.
Dr. RIZA NOUR.
HASSAN.

PROTOCOL.

The undersigned Turkish Plenipotentiaries, duly authorised to that effect, declare that, without waiting for the coming into force of the Convention with Greece of even date, relating to the exchange of the Greek and Turkish populations, and by way to exception to Article 1 of that Convention, the Turkish Government, on the signature of the Treaty of Peace, will release the able-bodied men referred to in Article 4 of the said Convention, and will provide for their departure.

Done at Lausanne, the 30th January, 1923.

No. 50.

Document No. IX. of Final Act.

ACCORD ENTRE LA GRÈCE ET LA TURQUIE RELATIF À LA RESTITUTION DES OTAGES CIVILS ET À L'ÉCHANGE DES PRISONNIERS DE GUERRE.

Signé à Lausanne le 30 janvier 1923.

Les Plénipotentiaires helléniques et turcs soussignés, agissant en vertu de leurs pleins pouvoirs respectivement trouvés en bonne et due forme, sont convenus des dispositions suivantes à l'effet d'assurer la restitution réciproque des internés civils actuellement retenus en Grèce et en Turquie ainsi que l'échange des prisonniers de guerre.

CHAPITRE I.

INTERNÉS CIVILS.

Article 1.

Les otages et prisonniers civils turcs détenus par la Grèce seront rapatriés par les soins du Gouvernement hellénique. Celui-ci fera, en principe, transporter à Smyrne les personnes qui sont originaires d'Anatolie, et à Constantinople celles qui sont originaires de la Thrace.

La restitution, constatés à l'embarquement en Grèce, commencera en principe sept jours après la signature du présent Accord. Elle devra être achevée, savoir :

(*a*) dans un délai n'excédant pas deux semaines, en ce qui concerne les personnes figurant sur les listes fournies par le Gouvernement hellénique ;

(*b*) dans le plus bref délai, en ce qui concerne les personnes qui doivent être recherchées et qui figurent sur les listes fournies par le Gouvernement turc.

Article 2.

Les otages et prisonniers civils hellènes qui seraient détenus par les Turcs seront rassemblés

AGREEMENT BETWEEN GREECE AND TURKEY RESPECTING THE RECIPROCAL RESTITUTION OF INTERNED CIVILIANS AND THE EXCHANGE OF PRISONERS OF WAR.

Signed at Lausanne the 30th of January 1923.

The undersigned Turkish and Greek Plenipotentiaries, acting in accordance with their respective full powers, found in good and due form, have agreed as follows, with a view to ensuring the reciprocal restitution of interned civilians at present detained in Greece and in Turkey, and for the exchange of prisoners of war.

CHAPTER I.

INTERNED CIVILIANS.

Article 1.

Turkish hostages and civilian prisoners at present detained in Greece will be repatriated by the Greek Government. The latter will in principle cause persons emanating from Anatolia to be transported to Smyrna and those emanating from Thrace to Constantinople.

The restitution of these persons, who shall be checked on their embarkation in Greece, shall in principle begin seven days after the signature of the present Agreement. The restitution will be completed as follows:—

(*a*) Within not more than two weeks, in so far as persons figuring on lists furnished by the Greek Government are concerned.

(*b*) With the least possible delay, in so far as persons who have to be sought and who figure on lists furnished by the Turkish Government, are concerned.

Article 2.

Greek hostages and civilian prisoners, who may be detained by the Turks, shall be collected à Smyrne ou à Constantinople par les soins du Gouvernement turc de manière que leur rapatriement puisse avoir lieu, aussitôt après celui des otages civils turcs visés à l'alinéa (*a*) de l'article 1, et de manière que le rapatriement des personnes qui seraient à rechercher, puisse avoir lieu dans le plus bref délai possible.

Article 3.

Les listes de rapatriement, respectivement remises par le Gouvernement hellénique et le Gouvernement turc, seront ultérieurement complétées.

CHAPITRE II.

PRISONNIERS DE GUERRE.

Article 4.

Aussitôt que possible après la date à laquelle le Gouvernement hellènique aura restitué au Gouvernement turc les otages civils turcs visés à l'alinéa (*a*) de l'article 1, et dans un délai ne dépassant pas quinze jours à partir de cette date, la Grèce restituera à la Turquie et transportera à Smyrne, en une seule fois, la totalité des prisonniers de guerre qu'elle détient.

La Turquie restituera ensuite à la Grèce un nombre égal de prisonniers de guerre helléniques, officier pour officier, soldat pour soldat. Ces prisonniers de guerre seront rassemblés par le Gouvernement turc en temps voulu et dans les lieux appropriés, de façon qu'ils puissent être rapatriés par le voyage de retour des navires grecs ayant amené les prisonniers de guerre turcs.

Le reste des prisonniers de guerre helléniques sera rapatrié par les soins de la Turquie dès la signature de la paix et dans un délai de trois semaines après cette signature.

at Smyrna or Constantinople by the Turkish Government, in such a manner that their repatriation may take place immediately after that of the Turkish civilian hostages mentioned in paragraph (*a*) of Article 1, and in such a manner that the repatriation of persons who have to be sought may take place with the least possible delay.

Article 3.

The lists of persons to be repatriated, which have been furnished by the Turkish and Greek Government respectively, shall be completed later.

CHAPTER II.

PRISONERS OF WAR.

Article 4.

As soon as possible after the date on which the Greek Government shall have restored to the Turkish Government the Turkish civilian hostages mentioned in paragraph (*a*) of Article 1, and within a period not exceeding 15 days from that date, Greece shall restore to Turkey and shall transport to Smyrna simultaneously all the Turkish prisoners of war detained by her.

Turkey shall thereupon restore to Greece an equivalent number of Greek prisoners of war, officer for officer, soldier for soldier. These prisoners of war will be collected by the Turkish Government at such time and in such places, that they may be repatriated on the return voyage of the Greek vessels which brought the Turkish prisoners of war.

The remainder of the Greek prisoners of war shall be repatriated by the Turkish Government immediately after the signature of Peace and within three weeks from the date of that signature.

Article 5.

Dans un but d'apaisement, les Gouvernements hellénique et turc conviennent d'étendre respectivement les bienfaits de l'amnistie à tous les prisonniers de guerre et internés civils qu'ils détiennent, aussi bien à ceux qui sont passibles ou frappés de peines pour crimes et délits de droit commun qu'à ceux qui sont passibles ou frappés de peine pour fautes contre la discipline; les deux Gouvernements sont d'accord pour les rapatrier indistinctement sans tenir compte de l'achèvement de la peine ou de la procédure engagée.

CHAPITRE III.

COMMISSION D'EXÉCUTION.

Article 6.

Une commission internationale comprenant trois représentants des Sociétés de la Croix Rouge, ressortissants à des Etats n'ayant pas pris part à la guerre de 1914-1918, et un représentant de chacun des Gouvernements hellénique et turc, sera chargée de diriger les opérations concernant la restitution des otages et prisonniers civils ainsi que l'échange des prisonniers de guerre dans les conditions prévues aux chapitres I et II ci-dessus. Cette commission fixera les modalités de ces opérations et en surveillera l'exécution. Elle sera chargée notamment de:

(*a*) recevoir des autorités helléniques et turques, aux points d'embarquement, les otages et prisonniers à rapatrier, à vérifier leur nombre et leur identité, à effectuer la remise de ces otages et prison-

Article 5.

With the object of allaying animosity, the Greek and Turkish Governments undertake respectively to extend the benefit of the amnesty to all prisoners of war and interned civilians detained by them, both those who are awaiting trial or undergoing sentence for crimes or offences against the ordinary law, and those who are awaiting trial or undergoing sentence for offences against discipline; the two Governments agree to repatriate such persons without distinction and irrespective of the completion of their sentence, or of the proceedings pending against them.

CHAPTER III.

COMMISSION FOR THE EXECUTION OF THIS AGREEMENT.

Article 6.

An International Commission comprising three representatives of the Red Cross Societies, nationals of States not having taken part in the war of 1914-1918, and a representative of the Greek and Turkish Governments respectively, shall be entrusted with the task of directing the operations connected with the restitution of the hostages and civilian prisoners and the exchange of prisoners of war, under the conditions prescribed in Chapters I and II above. This Commission shall settle the methods by which these operations shall be effected, and shall supervise the execution thereof. The Commission shall be in particular entrusted with the duty of:

(*a*) receiving from the Greek and Turkish Authorities at the ports of embarkation the hostages and prisoners to be repatriated, verifying their number and identity, effecting the surrender of those hostages niers aux autorités turques et helléniques aux points de débarquement,

(*b*) régler de concert avec les Gouvernements hellénique et turc le transport, à partir des ports d'embarquement, des otages et prisonniers turcs et helléniques à rapatrier. Le Gouvernement hellénique fournira à cet effet les moyens de transport maritime nécessaires,

(*c*) procéder avec la collaboration des Gouvernements et autorités helléniques et turques, à toutes recherches et enquêtes nécessaires pour établir le sort des otages civils et prisonniers de guerre réclamés par l'un ou l'autre Gouvernement et non remis.

Les Gouvernements intéressés s'engagent à prêter dans ce but tout leur concours à la Commission et à lui donner toutes facilités.

Article 7.

Les frais d'entretien et de fonctionnement de la commission seront par parts égales à la charge des Gouvernements hellénique et turc.

Le present Accord entrera immédiatement en vigueur.

Fait en triple exemplaire à Lausanne le trente janvier mil neuf cent vingt trois.

(L.S.) E. K. Veniselos.
(L.S.) D. Caclamanos.
(L.S.) Ismet.
(L.S.) Dr. Riza Nour.
(L.S.) Hassan.

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and prisoners to the Turkish and Greek Authorities at the points of disembarkment;

(*b*) settling in accordance with the Greek and Turkish Governments the transport from the points of embarkation of the Turkish and Greek hostages and prisoners to be repatriated. The Greek Government shall furnish with this object the necessary means of maritime transport;

(*c*) proceeding with the collaboration of the Greek and Turkish Governments and Authorities with all researches and enquiries necessary to establish the fate of civilian hostages and of prisoners of war claimed by one or other Government and not handed over.

The Governments concerned undertake to furnish with this object all assistance to the Commission and to grant it all facilities.

Article 7.

The expenses of the maintenance and of the work of the Commission shall be borne in equal parts by the Greek and Turkish Governments.

The present Agreement will enter into force at once.

Done in triplicate at Lausanne the 30th day of January of 1923.

SECTION II.

Subsequent Negotiations and Concessions.

No. 51.

Explanatory Note.

Subsequent to the meetings of the commissions on 31st January and 1st February, informal conversations between Ismet Pasha and the plenipotentiaries of the three Inviting Powers took place, as a result of which the following additional concessions were offered to Ismet Pasha on 3rd February and 4th February.

No. 52.

Summary and Explanation of concessions offered to Ismet Pasha on 3rd February and 4th February.

POLITICAL QUESTIONS.

1. The Inviting Powers offered to drop the provision restricting the Turkish armed forces in Eastern Thrace to 20,000 men. This involved the suppression of Article 4 of the Draft Convention respecting the frontiers of Thrace (*see* page 788).

FINANCIAL QUESTIONS.

2. Article 46 of the Draft Treaty of Peace (*see* page 704) provided for the division of the capital (and not only the annual charge for the service) of the pre-War Ottoman Public Debt between the States concerned, if one of those States made a request to that effect, "with the consent of the bondholders." In order to meet the wishes of the Turkish Delegation, the Inviting Powers agreed to omit the words "with the consent of the bondholders."

3. Under Article 57 of the Draft Treaty of Peace (*see* page 713) Turkey had to pay to the other Contracting Powers (excluding Greece) £T.15,000,000 gold,* in settlement of all claims, on one side or the other, in respect of loss and damage suffered by nationals of the Powers concerned during the War. The payment was to be discharged by 37 annuities of £T.900,000 (*i.e.*, 5 per cent. interest and 1 per cent. sinking fund).

The sums of £T.5,000,000 gold, which were deposited in Berlin and Vienna as cover for the first issue of Turkish Paper Currency and were transferred to the Allies by the German and Austrian Treaties, were to serve as a guarantee for the reparation annuities and to be returned to Turkey in instalments in five years, if those annuities were duly paid.

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* The pound Turkish gold is worth 9/10ths of a sovereign.

Turkey and the other Powers concerned agreed to regard this settlement as final and to waive all other claims, including the claim of Turkey to be repaid the sums paid by the Porte to Messrs. Vickers and Messrs. Armstrong for the construction of the two battleships requisitioned by His Majesty's Government in 1914. The sums so paid amounted to about £T.5,000,000 gold (£4,500,000 sterling) or about £T.7,000,000 gold with interest. The right of Turkey to receive these funds was confiscated, by legal proceedings duly taken in England, after the outbreak of war between Turkey and this country.

In the course of the discussions after the presentation of the Treaty, an offer was made to reduce the reparation payable from £T.15,000,000 to £T.12,000,000, the annuities being accordingly reduced from £T.900,000 to £T.720,000.

Finally, in order to remove one of the chief remaining obstacles to agreement on all essential matters, the Inviting Powers offered to renounce the £T.12,000,000 gold claimed on account of reparation, on condition that Turkey would renounce any claim to (*a*) £T.5,000,000 gold in respect of the sums of gold transferred from Berlin and Vienna, and (*b*) £T.7,000,000 gold in respect of the two battleships. This offer involved the suppression of Articles 57, 59, 60, 61, 62, 63, 64, 69 and 79 of the Draft Treaty of Peace (*see* pages 713, 714, 715, 716, 718 and 724), and their replacement by three articles embodying the proposal described above.

The method of distributing, among Allied nationals who have suffered loss and damage in Turkey during the War, any sums available for that purpose is left entirely open by the new articles, and this question is to form the subject of a separate Inter-Allied agreement.

4. Article 58 of the Draft Treaty (*see* page 714) provided for the mutual renunciation by Turkey and Greece of all claims for damage during the War. The Inviting Powers, with the consent of Greece, offered that the claims of the two Governments against each other which had been presented to the Conference should be left over for settlement by agreement between the two Governments, and failing such agreement, by arbitration.

5. The last three paragraphs of Article 60 of the Draft Treaty of Peace (*see* page 715) provided that the proceeds of existing or future concessions should be assigned to ensure the payment of the annual sums to be paid, under the original proposals, by Turkey on account of reparation, and that no new concessions should be granted, or existing ones prolonged, without the advice of the Council of the Ottoman Public Debt. The Inviting Powers offered (before the final concession as to reparation described in paragraph 3) to eliminate these three paragraphs.

ECONOMIC QUESTIONS.

6. Under Articles 7 and 9 of the Convention respecting the Commercial Régime with Turkey (*see* pages 808 and 809) the provisions of Section I of that Convention were to remain in force for five years, after which the commercial relations between Turkey and the other Powers concerned were to be regulated by separate commercial treaties. The Inviting Powers offered to reduce this period in the case of European countries whose territory adjoins that of Turkey to one year.

JUDICIAL REGIME.

7. The draft Declaration relating to the Administration of Justice in Turkey (*see* page 801) provided for the appointment by Turkey of a number of Legal Counsellors, who, in addition to taking part in the preparation of schemes of judicial reform, were to sit as members of the Turkish Courts in all civil cases involving sums of over £T.50 in which a foreigner was concerned, and in all criminal cases where the accused was a foreigner. The Inviting Powers offered to replace this draft Declaration by another (*see* Annex I, page 834), under which the Legal Counsellors were to possess no judicial functions and were to have merely general powers of observing the working of the Turkish Courts, ensuring appeals against improper decisions, and bringing complaints to the notice of the proper Turkish authorities. Under both drafts the Legal Counsellors had certain powers, in the principal towns, in connection with the arrest of foreigners and domiciliary visits of their habitations.

GRAVES.

8. At the request of the Turkish representatives, the British Delegation agreed that the conditions under which the Anzac area is to be held by His Majesty's Government (*see* Article 144 of the Peace Treaty, page 763) should be further defined in an Annex to that Article (*see* Annex II, page 836).

PREAMBLE.

9. The Inviting Powers offered, in order to show their acceptance of a principle on which great stress had throughout been laid by the Turkish Delegation, to insert in the Preamble to the Treaty of Peace (*see* page 686) a new paragraph in the following terms:—

> "And considering that these relations must be based on respect for the independence and sovereignty of the States concerned."

ANNEX I TO No. 52.

DRAFT DECLARATION REGARDING JUDICIAL SAFEGUARDS FOR FOREIGNERS IN TURKEY, TO BE MADE BY TURKEY AS PART OF THE FINAL SETTLEMENT.

[This draft was communicated, with the consent of M. Bompard and the Marquis Garroni, by Lord Curzon to Ismet Pasha on Saturday, February 3rd.]

La délégation turque a déjà eu l'occasion de faire connaître que le Gouvernement de la Grande Assemblée Nationale de Turquie est en mesure d'assurer aux étrangers devant les Tribunaux turcs toutes les garanties d'une bonne justice et qu'il est à même d'y veiller dans le plein exercice de sa souveraineté et sans aucune intervention étrangère. Il n'en est pas moins disposé à faire procéder aux enquêtes et études	The Turkish Delegation has already had occasion to state that the Government of the Grand National Assembly of Turkey is in a position to ensure to foreigners in the Turkish Courts all the safeguards of a good judicial system and to provide therefor in the exercise of its full sovereignty and without any kind of foreign interference. It is nevertheless prepared to have an investigation made and

pour introduire telles réformes que justifierait le progrés des moeurs et de la civilisation.

Dans cet esprit, la Délégation turque tient à faire la déclaration suivante.

Le Gouvernement turc se propose de prendre incessamment à son service, pour la période qu'il jugera nécessaire et qui ne sera pas inférieure à cinq années, des conseillers légistes qu'il choisira sur une liste dressés par la Cour permanente de justice internationale.

Ces conseillers légistes dépendront du Ministre de la Justice, participeront aux travaux des commissions de réformes législatives et seront affectés spécialement aux circonscriptions judiciaires des Cours d'appel de Constantinople, Smyrne, et des Tribunaux de Première instance de Samsoun et d'Adana. Ils seront chargés dans toutes les affaires pouvant intéresser les relations internationales de la Turquie, de suivre le fonctionnement des juridictions civiles, administratives, commerciales et penales turques, de requérir que des actions, appels ou pourvois en cassation ou révision soient introduits par le Ministère public contre les actes ou décisions judiciaires qu'ils ne jugeraient pas conformes au droit, et de recevoir toutes plaintes auxquelles pourraient donner lieu soit l'administration de la justice civile, commerciale, administrative ou pénale, soit l'exécution des peines, soit l'application des lois, avec mission d'en rendre compte aux autorités turques compétentes à l'effet d'assurer la stricte observation de la législation turque.

Les visites domiciliaires, perquisitions ou arrestations sauf

to cause the situation to be examined with a view to the institution of such reforms as may be rendered advisable by the development of manners and civilisation.

Animated by this spirit, the Turkish Delegation desires to make the following declaration :—

The Turkish Government proposes to take immediately into its service, for such period as it may consider necessary, not being less than five years, legal counsellors whom it will select from a list drawn up by the Permanent Court of International Justice.

These legal counsellors will serve under the Minister of Justice, will take part in the work of the commissions for the reform of legislation, and will be attached more particularly to the areas under the jurisdiction of the Courts of Appeal of Constantinople and Smyrna, and the Courts of First Instance of Samsoun and Adana. In all cases which may affect the international relations of Turkey it will be their duty to observe the working of the Turkish civil, administrative, commercial and criminal courts; to require that suits, appeals or applications for cessation or revision shall be instituted by the representative of the State against any acts or judicial decisions which they consider contrary to law; and to receive all complaints to which the administration of justice in civil, commercial, administrative or criminal matters, the execution of sentences, or the manner of application of the law may give rise, with a view to bring such complaints to the notice of the competent Turkish authorities in order to ensure the strict observance of the provisions of Turkish legislation.

Domiciliary visits, searches, or arrests of persons other than dans le cas de flagrant délit, auxquelles les autorités turques dans les circonscriptions judiciaires ci-dessus mentionnées auraient à procéder dans les affaires ci-dessus visées, seront pratiquées d'accord avec lesdits conseillers.

Dans les matières correctionnelles et criminelles, la mise en liberté sous caution devra toujours être prononcée à moins que la sécurité publique n'en puisse être compromise.

Tous compromis et clauses compromissoires en matières civiles ou commerciales sont permis et les décisions arbitrales ainsi rendues seront exécutoires sur le visa du Président du Tribunal de Première instance qui ne pourra refuser son visa qu'au cas où la décision serait contraire à l'ordre public.

those taken *flagrante delicto*, which the Turkish authorities may have to effect in connection with the matters stated above in the above-mentioned judicial areas, shall be carried out in agreement with the said counsellors.

In cases of misdemeanour and felony, release on bail shall always be ordered unless this entails danger to public safety.

In civil or commercial matters every kind of reference to arbitration and clauses in agreements providing therefor are allowed and the arbitral decisions rendered in pursuance thereof shall be made effective for purposes of execution by being countersigned by the President of the Court of First Instance who shall not refuse his signature unless the decision should be contrary to public order.

ANNEX II. TO No. 52.

ACCORD CONCERNENANT CERTAINES CONDITIONS DE JOUISSANCE DU TERRAIN DIT "TERRAIN D'ANZAC."

La jouissance du terrain d'Anzac par l'Empire britannique sera soumise aux conditions suivantes :

(1) Ce terrain ne pourra pas être détourné de son affectation en vertu du Traité de paix ; en conséquence, il ne devra être utilisé dans aucun but militaire ou commercial ni dans quelqu'autre but étranger à l'affectation ci dessus visée.

(2) Le Gouvernement turc aura en tous temps le droit de faire inspecter ce terrain y compris les cimetières.

(3) Le nombre de gardiens civils destinés à la garde de cimetières ne pourra être supérieur à un gardien par cimetière. Il n'y aura pas de gardiens

AGREEMENT CONCERNING CERTAIN CONDITIONS ATTACHED TO THE GRANTING OF THE PLOT OF GROUND CALLED "THE ANZAC AREA."

The granting of the Anzac area to the British Empire shall be subject to the following conditions :

(1) This area shall not be applied to any other purpose than that laid down in the Treaty of Peace ; consequently it shall not be utilised for any military or commercial object, nor for any other object foreign to the purpose mentioned above.

(2) The Turkish Government shall at all times have the right to cause this area, including the cemeteries, to be inspected.

(3) The number of civilian custodians appointed to look after the cemeteries shall not exceed one custodian to each cemetery. There shall not be any special

spéciaux pour le terrain compris en dehors des cimetières.

(4) Il ne pourra être construit dans le dit terrain, tant à l'intérieur qu'à l'extérieur des cimetières, que les bâtiments d'habitation strictement nécessaires aux gardiens.

(5) Il ne pourra être construit sur le rivage du dit terrain aucun quai, jetée ou appontement pouvant faciliter le débarquement ou l'embarquement des personnes ou des marchandises.

(6) Toutes formalités nécessaires pour la visite du terrain ne pourront être remplies que sur la côte intérieure des Détroits et l'accès du terrain par le côte de la Mer Égée ne sera permis qu'après l'accomplissement des dites formalités.

(7) Les personnes désirant visiter le terrain ne devront pas être armées et le Gouvernement turc aura le droit de veiller à l'application de cette interdiction.

(8) Le Gouvernement turc devra être informé au moins une semaine à l'avance de l'arrivée de tout groupement de visiteurs dépassant cinquante personnes.

custodians for the parts of the area lying outside the cemeteries.

(4) No dwelling houses may be erected in the area, either inside or outside the cemeteries, except such as are strictly necessary for the custodians.

(5) On the seashore of the area no quay, jetty or wharves may be built to facilitate the landing or embarkation of persons or goods.

(6) Such formalities as may be required for visiting the area are only to be fulfilled on the coast inside the Straits, and access to the area by the coast on the Ægean Sea shall only be permitted after these formalities have been fulfilled.

(7) The persons who desire to visit the area must not be armed, and the Turkish Government shall have the right to see to the enforcement of this prohibition.

(8) The Turkish Government must be informed at least a week in advance of the arrival of any party of visitors exceeding fifty persons.

No. 53.

Explanatory Note.

In reply to the offers summarized in the preceding paper the following note was received from Ismet Pasha at 1.45 p.m. on 4th February.

No. 54.

Ismet Pasha to the Presidents of the British, French and Italian delegations, Lausanne, 4th February, 1923.

YOUR EXCELLENCY,

I HAVE the honour to transmit to you herewith a statement of the conclusions at which the Turkish Delegation have arrived after a final endeavour on their part to give effect to the possibility of an immediate signature of peace.

Please accept, etc.,

ISMET.

MEMORANDUM.

PROTRACTED negotiations have taken place and various draft proposals and counter-proposals have been exchanged in commission and sub-commission in which the divergent attitudes of the two parties have been explained in regard to the fundamental questions which bear on the main object of the Conference, namely, the conclusion of peace.

We are convinced that as a result of these our labours a sufficient unanimity has to-day been reached on the fundamental points, such as should enable us to establish peace. It might be said, indeed, that scarcely any difference of opinion likely to prove an obstacle to the conclusion of peace now remains on the territorial, financial and sanitary questions or on the clauses relating to nationality, minorities, public debt, reparations, communications, prisoners of war, war graves, and the judicial *régime*. These questions are of a political character and agreement thereon should suffice to eliminate the possibility of the Conference ending in a failure. As we state below, we are prepared in this connection to make great concessions for the sole purpose of preserving the peace and the tranquillity of the world; we are firmly convinced that the public opinion of the world as well as the Allied Powers will recognise the importance and the value of these concessions.

Among the questions above referred to, those which are of a territorial nature are the following:—

We accept the western frontier as proposed by the Allied Powers.

We regard the abandonment by the Powers of their claim to limit our forces in Thrace (the limitation which incidentally would not be reconcilable with the sovereignty of the Turkish State) as a proof of their desire for peace, and we are for our part prepared, in order once more to show our good intentions, not to insist on obtaining Kara-Agatch, or the railway line running from there to Kuleli-Burgas, or Demotika—in a word, our frontier of 1913.

We have abandoned the principle of the closing of the Straits, a principle which, as has been proved by past experience, is historically that which most adequately secures the safety of our capital, and we have agreed that the waters of the Straits shall be open to the ships of all nations. Further, in spite of the fact that in many cases where both shores of an open waterway belong to a single Power, that Power retains by usage the right of fortification, we have agreed in the present instance to demilitarisation.

We have also abandoned our request regarding the maintenance of a garrison in the Gallipoli peninsula.

Although we have been faced with endless proposals which limit out sovereignty in this peninsula, we have, for the sole purpose of showing our desire for conciliation, accepted the demand for the grant of land in the Anzac region in return for the acceptance of certain reasonable conditions which provide for our security outside of these cemeteries, which cemeteries we are determined absolutely to respect.

We have similarly accepted the proposal to establish a local administration in the islands of Imbros and Tenedos.

We also accept in its entirety the proposal regarding the islands of the Dodecanese, which had not until now figured in the agenda of the Conference and in regard to which no discussion had taken place.

As regards the question of Mosul, we consider that it would be fitting, for the sole purpose of assuring that this question shall not become an obstacle to the conclusion of peace, to exclude it from the programme of the Conference, in order that it may, within the period of one year, be settled by common agreement between Great Britain and Turkey.

As will be seen, the territorial questions and the question of the Straits are of a nature to contribute to the conclusion of peace, on the one hand, because of the provisions which have already been agreed to and on the other because of the concessions which we are prepared to make to-day.

The points regarding nationality have been accepted by us fully and entirely in conformity with the demands of the Allied Powers.

The question of minorities, which is a very important one, especially for Turkey, has been settled in accordance with the wishes of the Allied Powers and as a result of discussions in which we have always given evidence of our conciliatory attitude.

As regards financial questions we are in the first place prepared to accept, in conformity with the proposal of the Allied Delegations, the partition of the public debt in proportion to revenue, and in the second place we are prepared, in view of the request made by the Albanian and Greek Delegations, that the debts connected with railways shall be borne by the States on whose territory the railway lines are themselves situated.

This method of partitioning railway debts and the acceptance of revenue as the ratio for the division of the remainder of the public debt, imposes upon Turkey a financial responsibility far greater than that which would have fallen upon her, had our own proposals been accepted. The Turkish Delegation, however, is prepared to make this concession solely in order not to delay the conclusion of peace and in order not to assume the responsibility of war for the sake of losses which can after all be repaired.

In pursuance of the proposal which is made to us, we are also willing to make a declaration regarding what is owed to us under the heading of the debt which has not yet been defined, but the partition of which constitutes for us an incontestable right which is confirmed by the Treaties of Berlin and Thessaly and which the Powers themselves recognise should fall as a charge upon the Balkan States; we reserve for ourselves the right to take further steps at an opportune moment to recover these debts.

We are prepared, in accordance with the proposal which has been made to us, to make a declaration to the bondholders of the public debt regarding the decree of Mouharrem, which defines the position of the Public Debt Administration. We are convinced that the former acts of the Ottoman Government, which have never ceased to inspire the bondholders with full confidence, will constitute a sufficient confirmation of this declaration. None the less, we consider it indispensable that the explanatory note which figures at annex 1, should be suppressed.

Further, we are willing to make new concessions by accepting that the annuities due in respect of the shares of the debt which, under the present Treaty would fall upon the territories detached from Turkey, shall begin to run from the year 1920.

Similarly we accept the division of the public debt by the Public Debt Administration and the conclusion by that administration of an agreement for the payment of overdue coupons.

Further, we agree that Germany and Austria shall not be represented in the financial and economic organisations in Turkey.

As regards the question of reparation, we are prepared to abandon, solely as an act of conciliation, our claim to a sum in gold of over five million Turkish pounds which constitutes the security for the first issue of paper money, as well as to the sum of about seven million pounds due to Turkey as a result of her orders for ships, that is, to a total of more than twelve million pounds gold. We welcome with pleasure the reciprocal renunciation on the part of the Allied Powers of the sum of twelve million gold pounds claimed by them under the heading of reparation.

We take act of the acceptance in principle by the Allied Powers, as a matter of justice, of the payment of a sufficient sum for the reparation of the areas devastated owing to the aggression of Greece against the Turkish fatherland.

The proposals regarding means of communications have been accepted in their entirety.

All the proposals regarding sanitary questions had already been accepted by us and the only question which had remained in suspense was that of the sanitary commission of the Straits. In order to prove, in this matter also, our generous spirit of conciliation and our goodwill, we are ready to make a declaration embodying our willingness to engage European medical specialists for a period of five years as advisers in the sanitary administration of the Turkish frontiers. These advisers, who will replace the proposed commission, will be more useful and will render more important services than any such a commission could render.

The questions of prisoners of war and that of war graves have similarly been settled in conformity with the wishes of the Allied Powers; the dispute regarding the question of the dates which arose in connection with the amnesty for prisoners of war has also been settled in accodance with the point of view of the Allied Powers.

In agreeing to make, with only a few slight modifications, the declaration which was required of us as a result of the abolition of capitulations, we have once again given proof of our desire for peace.

The conditions under which the nationals of the Allied Powers may reside in Turkey and Turkish nationals may reside in Allied countries do not form part of the Treaty of Peace and the conclusion on this question of a separate convention, as is the usual practice between States, had been decided on by common agreement with the delegations of the Allied Powers; the completion of the negotiations opened for this purpose has, however, been delayed owing to the question of capitulations; on the other hand, these negotiations had shown that no very great difference of opinion existed between the two parties in regard to this question. As the question of the judicial *régime* may now be considered as settled, it is clear that there will be no longer any difficulty in settling the small differences which have arisen regarding the conditions of residence of foreigners in Turkey and the competence of the Turkish tribunals.

The fiscal clauses regarding foreigners may be considered as settled by the negotiations and discussions which took place in the commission and the sub-commission on the basis of equality in fiscal matters of Turkish and foreign nationals.

We are prepared to accept the convention regarding the commercial *régime* on condition that the abolition of economic capitulations also figures in the Treaty of Peace; that this convention shall have a duration of five years for the four Allied Powers and of one year for the other signatory Powers; that the clause restricting the right of Turkey to regulate the question of coastal traffic shall be suppressed; and finally that No. 270 in Annex I of the convention shall be transferred to the list of articles coming under coefficient 12.

In addition to the above questions there are others which may be considered as partially solved; there are some also which have not yet been settled.

If one compares the questions which have been settled and which we have specified above with those on which a settlement has not yet been reached, it will be manifest that the first category represents the fundamental questions and amounts to 80 per cent. of the questions to be incorporated in the Treaty. It must therefore be admitted that in view of the great concessions which we have accorded, no serious obstacle remains to the conclusion of peace.

I therefore have the honour to suggest that we should conclude peace by placing our signatures below the essential questions upon which agreement has been reached. Negotiations could be continued by a proportion of the existing delegations on the questions in suspense which could thus be settled later.

It is solely with the intention of contributing to the peace of the world that the Turkish delegation has agreed, after a terrible war which has cost Turkey so much blood and so much money, to make these very important concessions in matters which affect the essential interests of the country and to meet, above all, those of the wishes of the Allied Powers to which the latter attach the greatest importance.

The Turkish delegation cherishes the hope that when once this result has been reached, the peace of the world will not be endangered for the sake of a small number of questions which are not of a vital nature, which have a secondary importance, and which can be settled by subsequent negotiation.

The horrors and the calamities of the war are still fresh in our minds and have been experienced by the conquered and even by the conquerors. Turkey has done all that was in her power, shown all her goodwill and agreed to all these concessions in order to reach a general state of peace.

If the conclusion of peace is still unrealisable, the whole world will understand that no responsibility therefor can any longer fall upon Turkey.

I wish also to add that all the concessions which we have just made have been made only on condition that peace is signed; it is obvious that in the case of our proposal not being accepted we could not consider ourselves as being bound by them.

Essential questions in regard to which peace can be concluded immediately.

Territorial Questions.
Nationality.
Rights of Minorities.
Financial Clauses, Public Debt (Reparations).
Communications.
Sanitary Questions.
Prisoners of War, and Graves.
Convention regarding the Straits.
Convention regarding the Frontiers of Thrace.
Declaration regarding the Administration of Justice in Turkey.
Convention regarding Commercial Régime in Turkey.
Declaration regarding the Amnesty.

No. 55.

Explanatory Note.

On the receipt of the foregoing Note, the representatives of the inviting Powers met in Lord Curzon's room at 2.45 p.m. on February 4th, when, after obtaining certain further information from Ismet Pasha regarding the economic clauses, it was decided to invite Ismet Pasha to meet the plenipotentiaries of the three inviting Powers at 5.40 p.m. in Lord Curzon's room, and to offer him certain additional concessions regarding Mosul and the economic clauses, as a final inducement to secure his signature to the terms of peace.

No. 56.

British Secretary's Notes of Meeting, held in Lord Curzon's Room at the Beau Rivage Hotel, Lausanne, on Sunday, February 4th, 1923, at 5.40 p.m.

[*This meeting being of a purely informal nature, no official minutes were kept. The present notes, which were taken by the British Secretary, do not therefore constitute an agreed text, as in the case of the minutes of the formal meetings of the Conference, and they must not be regarded as an authoritative record of the views expressed by other than British representatives, although every effort has been made to render them as accurate as possible.*]

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston.

Sir Horace Rumbold.

FRANCE.

M. Bompard.

ITALY.

Marquis Garroni.

M. Montagna.

TURKEY.

Ismet Pasha.

Riza Nour Bey.

Hassan Bey.

Also present:

BRITISH EMPIRE.

Sir Eyre Crowe.

Mr. Nicolson.

Mr. Forbes Adam.

Mr. Leeper.

FRANCE.

M. Bargeton.

ITALY.

M. Nogara.

M. Arlotta.

M. Guariglia.

Dr. Senni.

Interpreters: M. Camerlynck and Munir Bey.

LORD CURZON, in opening the discussion, reminded Ismet Pasha that the Allied Powers had, the day before, put forward the final concessions which they were prepared to make. The Turkish delegation had had full time to examine these concessions, and their reply had, in fact, been received that afternoon.* Lord Curzon wished to express his recognition of the friendly spirit which had animated this Turkish reply. He had observed particularly and with great satisfaction that Ismet Pasha had concluded his note with the most earnest expression of his desire for peace, and with a statement that he would be willing without further delay to sign the treaty. The Allied Powers fully shared this desire. "The treaty," said Lord Curzon, "must be signed here and now. There are only a few hours left. The world is looking for a solution, and we must find one before we leave this room."

Lord Curzon continued by pointing out to Ismet Pasha that even after the Allied meeting of the 3rd February, and in addition to the concessions which had then been made, the inviting Powers, and notably the British Empire, had made further important concessions. Let Ismet Pasha realise quite clearly that in making a concession to Turkey regarding the payment for the ships which Great Britain had requisitioned in 1914, Lord Curzon had taken upon himself a responsibility which he would be obliged to defend before British public opinion. He had made this concession and assumed this responsibility in order to please Ismet Pasha. It was by far the greatest concession Great Britain had made, and Ismet Pasha should fully appreciate its magnitude.

Lord Curzon then turned to the text of the letter received that afternoon from the Turkish delegation (See No. 54, p. 837). He expressed the hope that Ismet Pasha would realise that it was now out of the question to reopen, or even to reserve, any large number of the questions raised in that document. The conference could not at this moment enter upon a further stage. The Allies had considered very carefully, in their intense desire for peace, whether it would be possible for any or all of them to make further concessions at this eleventh hour. Lord Curzon, for his part, was willing to make such a concession on a point of the greatest importance, namely, that of Mosul. Ismet Pasha had asked that the settlement of this question might be postponed for the period of one year to allow for direct discussion between His Majesty's Government and the Turkish Government. Lord Curzon regretted that he was unable to consent to any alteration in the actual words of the treaty, since the matter had already, as stated in the treaty article, been referred to the League of Nations and was now in the hands of that body. Lord Curzon was prepared, however, in a spirit of friendship and conciliation, to *suspend* the result of his appeal to the League of Nations for a period of one year. In other words, the League of Nations would be asked not to proceed with the determination of the frontier during the next twelve months in order that time might be given to His Majesty's Government and the Turkish Government to examine the matter by direct and friendly discussion. This concession, the importance of which he need scarcely underline, was absolutely the last which Lord Curzon was prepared to make. He was glad, however, at this final moment to make this offer to Ismet Pasha, but he could only do so under two conditions, namely, that if the two Governments failed to reach a direct understanding, the intervention of the League would be resorted to in the manner originally proposed, and that the *status quo* existing in that region should be preserved during the year in which these discussions might continue.

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* *See* No. 54.

Lord Curzon again expressed the earnest hope that the Turkish delegation would realise the magnitude of this offer in the spirit in which it was made. Lord Curzon had prepared the draft declaration in which his offer was embodied and which he was prepared to sign. He would give this draft declaration at once to Ismet Pasha for him to read.*

Lord Curzon then turned to the other points raised in the letter of the Turkish delegation. He explained that Ismet Pasha had asked that a number of points relating especially to economic questions should be reserved for later discussion between the Allied Governments and the Turkish Government. The three plenipotentiaries had that afternoon been carefully through the clauses of the economic chapter and were now willing to arrange that a certain number of these clauses, while remaining in the treaty as they now stood, should be left open for a period of six months in order to provide for a further examination and settlement between the Allies and Turkey. The articles which the Allies were prepared to leave open in this manner were Articles 83, 84, 91, 92, 93 and the Annex to Article 83.

M. Bompard followed Lord Curzon with a speech in which he expressed his long-standing friendship and affection for Turkey. He wished to assure the Turkish delegation, on the basis of this friendship and affection, that there was nothing whatsoever in the treaty as it stood at present which could wound their susceptibilities or infringe their sovereignty. The concessions which had been made that morning were of the greatest importance. Thanks to the generosity of England, Turkey would come out of the war with no reparations to pay. Turkey needed peace and needed reconstruction. She could have peace immediately by signing this treaty; she could only have reconstruction with the help of foreign capital. It was for this reason that it was so essential for Turkey to provide securities and guarantees for foreigners wishing to reside in Turkey. It was necessary to look facts in the face; Turkey needed foreign assistance and without some guarantee regarding judicial procedure no respectable foreigner would come to their country. M. Bompard continued that he was frequently obtaining information which showed the pitiable state of Turkish finances and economics. The Turkish delegation would be mad in such conditions to refuse the peace that was offered them. The treaty was just and generous. M. Bompard did not mind saying that he was too great a friend of Turkey to have associated himself with a peace treaty that he did not honestly consider just. He appealed with all his heart to Ismet Pasha to sign this treaty. He would return to Angora with peace and receive the blessings of his people.

Marquis Garroni pointed out at some length the conciliatory spirit in which the treaty had been drafted, and explained very carefully that the provisions relating to the future status of foreigners in Turkey had been framed with a view to conciliating Turkish susceptibilities and of admitting no interference with Turkish sovereign rights. He joined with his two colleagues in appealing earnestly to Ismet Pasha not to allow this vital opportunity to pass.

Lord Curzon then stated that there was one point which he had forgotten to emphasise in his speech. It was this. The peace now offered to the Turkish delegation was offered by the Allies in unison. He asked Ismet Pasha to realise that when he, Lord Curzon, left Lausanne that evening the Turkish delegation could not hope, by going round the next day to the French or the Italians, to achieve some further modifications in the proposals of the Allies. This was not the case. The Turkish delegation must understand that the Allied Powers had come to an agreement by which they were determined to abide. No Allied delegation would accept separate discussion. They had all reached a point where delay or waiting would produce no further change. Lord Curzon felt it his duty to emphasise this aspect of the question because of the loyalty his comrades had shown, and also, if he might say so, because of the loyalty he had shown to his Allies.

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* *See* Annex A.

Lord Curzon continued: "I wish you to realise, Ismet Pasha, that I have given up more than I thought possible. I have done this for the sake of peace. Peace, as M. Bompard says, in in your hands. If within the next two hours we do not conclude peace, there will be no peace; we cannot wait; and I do implore you to accept, in the spirit of the concluding words of your own letter, the concessions which we have made and to realise that we have now come to an end."

Ismet Pasha stated that for months the Turkish delegation had struggled to arrive at peace. In the last few days alone they had made enormous sacrifices. The Allies must admit that this was the case. There was one point which he wished to raise at once, namely, that of the Greek indemnity.

Lord Curzon explained that this also was a point on which the Allies were not quite clear. Ismet Pasha must remember that in the original treaty it was suggested that both the Greeks and the Turks should renounce their claims against each other. The Turks had objected to this, and we had therefore decided to suppress that article and to leave the settlement of their respective claims to the two Governments to settle themselves.

The Turks had then explained that they wanted some article in the treaty under which the Greeks would be obliged to consider this question. The Allies had prepared a formula* which had been shown to the Turks last night under which both sides undertook to settle direct with the other and to submit to arbitration in the case of disagreement. This formula had been shown to the Turks on Saturday evening. In the letter which they had addressed to the plenipotentiaries of the inviting Powers on Sunday they stated that they took act of the recognition by the Allied Powers of the principle of Greek responsibility for reparation payments. Lord Curzon did not fully understand what was meant by this phrase in Ismet Pasha's letter. Did it mean that, after all, he accepted the formula which had been shown to him last night?

Ismet Pasha explained that what the Turkish delegation wanted was the fixation of the sum to be paid by Greece in the way of reparation. If some fixed sum could be stipulated any further claims might, as proposed by the formula, be left for direct discussion and even eventual arbitration. Such was the proposition which Ismet Pasha wished to make.

Lord Curzon pointed out that Ismet Pasha's proposal was not in the least a helpful one at that stage. It was impossible, within the two hours that still remained, to fix a definite figure for Greek reparation, and it would be far better if Ismet Pasha could accept the formula which had been shown to him, under which all his rights and claims were reserved.

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* *See* Annex B.

At this moment ISMET PASHA stated that he was not contented with the discussion as it was proceeding. Might he and his two colleagues adjourn into another room for a few moments to discuss the situation? Ismet Pasha, Riza Nour Bey and Hassan Bey accordingly left the room at 6.30 and returned without Hassan Bey at 6.45.

ISMET PASHA said that he accepted Lord Curzon's proposals regarding Mosul. He also accepted the proposed formula as regards the payment of an indemnity by Greece, subject, however, to the omission from it of the reference to Greek claims against Turkey.†

LORD CURZON replied that the Allies might be willing to accept the formula with this alteration, subject to the concurrence of the Greek delegation.

ISMET PASHA, continuing his reply to the Allied proposals, explained that the declaration which the Turkish delegation had proposed‡ was the maximum which he could accept in the matter of judicial guarantees for foreigners in Turkey. As regards the economic clauses of the treaty, the Turkish delegation were unable to accept the Allied proposal for the adjournment of the discussion on certain of these clauses. If Turkey were to accept the economic clauses of the treaty as now proposed by the Allies she would be placed in a position of economic servitude.

LORD CURZON exclaimed against the use of such a term as applied to the economic clauses of the treaty in their present form. He could not accept these declarations as the last words of the Turkish delegation on judicial guarantees and economic clauses. It was incredible that Ismet Pasha should refuse peace on these two points. Let the Conference consider for a moment what had happened as regards the Allied proposals for the judicial guarantees for foreigners in Turkey in the future. For nearly three months this question had been discussed between them. The Allied delegations and the Allied experts had put forward, either officially, semi-officially, or privately, perhaps ten or twelve different formulas. No counter-proposal of any kind had been received from the Turkish delegation. Finally, in answer to a special appeal by Ismet Pasha, Lord Curzon, after consulting his experts, had put forward a final draft. With great difficulty they had succeeded in persuading M. Bompard and the Marquis Garroni to accept this formula as the maximum concession which the Allies could propose to safeguard the interests of their subjects in Turkey. Now, at the last moment, Ismet Pasha declared that unless the only substantial safeguards which the draft declaration proposed by the Allies contained were omitted, he could not sign the treaty. It seemed incredible that any man in his right senses should adopt such an attitude.

Turning to the economic proposals, Lord Curzon pointed out that the Allies had proposed to pick out those clauses in the economic section of the treaty to which the Turks particularly objected and to declare their readiness to discuss them later, and yet Ismet Pasha had calmly rejected this proposal and had begun to speak of the economic servitude of Turkey imposed by the treaty. The use of such phrases reduced these negotiations to a farce. If Lord Curzon were now to return to his country when the Allies and Turkey were on the verge of peace, and the two declarations which Ismet Pasha and he (Lord Curzon) had made were published side by side in the English press and examined by the English public, no Englishman would be found to support his Excellency in his refusal to accept the Allied proposals on these two points. No one would agree with Ismet Pasha's description of the character of these proposals as a servitude upon Turkey, or believe that it was necessary to break on such questions. Ismet Pasha had made a splendid fight for his country, and was winning for Turkey a very good peace. Did he really intend to leave the field owing to his refusal to accept the Allied proposals on the two questions now under discussion? His Excellency had spoken of the enormous concessions made by Turkey. He would ask him to reflect for a moment on the concessions which were being proposed from the side of the Allies. It must not be forgotten that these were in reality concessions made by the victors in the Great War, which ended in the Armistice of 1918. The Allies were offering to return territory held by them and to withdraw their troops from Turkish soil. In the face of these enormous concessions, his Excellency had the power, if he had the will, by a stroke of the pen, to secure peace and to open a period of reconciliation. His Excellency was in a position to bring his country back into the vanguard of peoples and to enable Turkey to take her place once again in the society of nations. Was Ismet Pasha really going to throw this opportunity away? With all earnestness and in all sincerity Lord Curzon begged him, before he left that room, not to throw away the last chance for the peace of the world.

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† *See* Annex C.

‡ *See* Annex D.

M. BOMPARD wished to associate himself fully with all that Lord Curzon had said. The proposals which Ismet Pasha was now making were incredible. At this moment, and in the face of the manifest desire of the Allies to make every possible concession to Turkey compatible with justice and honour, it was a crime on the part of Turkey to refuse the Allied offer and peace, and he begged Ismet Pasha once again to reflect on what he was doing.

THE MARQUIS GARRONI also earnestly begged Ismet Pasha to reflect. If, to-morrow, the world knew the reasons for which Turkey had refused the Peace Treaty which had been offered to her by the Allies, public opinion all the world over would be shocked that Turkey should thus be playing with human lives for the stakes which were now at issue, over certain alterations in the draft formulæ of the economic clauses of the treaty. The proposals which the Allies were making as regards the future judicial régime afforded minimum safeguards for Allied subjects. As regards the economic clauses, they were merely pressing for further discussion on some points to which Turkey objected. The judicial safeguards were indeed only for a transitory period of five years. The judicial advisers were to be Turkish servants; Turkey's independent position was entirely safeguarded, and it was a crime to think of making war on such points.

ISMET PASHA replied that for years Turkey had suffered for her independence. And now for months the question of the judicial guarantees had been discussed. What the Allies now proposed was the Capitulations in another form. It was impossible for Turkey to accept them. Only on that very day in a spirit of extreme conciliation he had offered a declaration giving the Allies the promise of foreign assistance in the Turkish judicial system. He could do no more. With regard to the economic clauses, the Allied proposals would deprive Turkey of all economic relief. Turkey could not live under the economic regime proposed. All the great diplomats in the world were gathered together in that room, and they were refusing Turkey peace in spite of all his (Ismet Pasha's) concessions.

THE MARQUIS GARRONI pointed out that the economic and financial régime which was being offered to Turkey was far more liberal than any régime offered to any country which had been beaten in war by the Allies.

M. BOMPARD begged Ismet Pasha once again to reflect. His responsibility was great and terrible.

LORD CURZON pointed out that there was one hour left in which peace could be made.

ISMET PASHA declared that it was impossible to make peace on the terms proposed. The Allies had the will and the power to decide in Turkey's favour.

LORD CURZON begged Ismet Pasha to reflect again. His Excellency could make peace if he wished. He could easily justify what he was doing before his own Parliament if he desired. Lord Curzon knew what public opinion in England would think, and he knew that he would be blamed if, after all the concessions made by the Allies, Turkey still refused peace. Did his Excellency realise what his present decision, if persisted in, might mean? Did it mean that Allied and Turkish soldiers were to begin fighting again? Did it mean that when he (Lord Curzon) had just agreed to make one more concession and to meet his Excellency as regards Mosul, there was to be fighting in the streets of that town? Did it mean that British, French, Italian and Turkish soldiers would be shooting at each other again in the region of the Straits? Was there to be fighting at Chanak, at Ismid, and in the streets of Constantinople? Did it mean that the horrors of Gallipoli were to be renewed? On the verge of peace were blows again to be struck? It was unthinkable. His Excellency (Ismet Pasha) had known the triumphs of war. He had also known its horrors. It was incredible that anyone like he should take this terrific responsibility on his shoulders. Lord Curzon could not imagine any human man in such circumstances, and at such an hour, taking this burden upon himself.

ISMET PASHA said that he well remembered the tragedy of the war. But he knew that he was not now responsible. He had done all that was possible.

M. BOMPARD declared that it was tragic to hear such an answer when Ismet Pasha had before him a draft treaty which placed Turkey on her feet again. His Excellency was refusing peace with all the world. The world outside that room was waiting for the word "yes" from Ismet Pasha. Was his Excellency doing it in order to continue the fight again and desolate the whole of the East over this? He begged Ismet Pasha to reflect again and not to be obstinate.

LORD CURZON asked Ismet Pasha once again to remember the personal concessions which he himself had made to his Excellency. There was the question of the ships requisitioned by Great Britain before the outbreak of war with Turkey. There was the question of Mosul. On both of these questions he (Lord Curzon) would have great difficulty in defending before public opinion the concessions which he had made to Ismet Pasha. He had made them, however, because his Excellency had personally told him that they were the two points on which he considered concessions to be necessary in order to enable him to sign the Treaty of Peace. When, however, the concessions were made to Ismet Pasha, the latter had raised objections on judicial and economic questions.

Ismet Pasha must understand, however, that if these generous concessions were not now accepted by Turkey, Lord Curzon would be forced to withdraw them all. If the peace, for the purpose of concluding which they were offered, was not secured, these concessions must be taken away and Lord Curzon would never offer them again.

Ismet Pasha declared that it was he himself who had made sacrifices, not the Allies. The Allied delegates could do what they wished, but the English, French and Italian people all well knew how he (Ismet Pasha) had worked for peace, and how at the last moment he was still trying to secure it. He was calm and certain. He knew what war meant, but Turkey could not be deprived of her economic and judicial liberty. He (Ismet Pasha) had conscientiously considered his position and he could go no further.

Sir Eyre Crowe pointed out that Turkey was receiving exactly the same economic status as every other European State who had made treaties since the armistice. Surely the Turkish delegation could not really understand the intention of the economic clauses.

Riza Nur asked to be allowed to say a few words. The Turkish delegation were not refusing all the economic clauses. They only desired to exclude certain of them for later discussion. Some of the Allied claims had not yet been discussed at all in any sub-commission. How could the Turkish delegation be expected to accept them straight away? It was only recently that the Allies had sent the Turkish delegation a draft declaration regarding judicial Capitulations and now the Turkish delegation had put in a counter-declaration in reply.

Sir Horace Rumbold pointed out that there were no real safeguards offered to Allied subjects in the Turkish draft declaration.

Riza Nur replied that the draft declaration offered reforms in Turkish judicial administration and the appointment of foreign advisers.

Sir Horace Rumbold pointed out that the Allied declaration really left Turkey in complete independence in judicial matters. The Capitulations were suppressed and this was stated in an article in the treaty.

The Marquis Garroni wished to associate himself with what Sir Horace Rumbold had just said. The foreign advisers were to be Turkish--not Allied—functionaries. There was now only a short period left in which to reach a peace. If Ismet Pasha was going to make war about the judicial guarantees for foreigners, when in the treaty the Capitulations were completely suppressed, and when the Allies were only asking for a declaration regarding foreign advisers in the Turkish judicial service and only for a transitory period, there was no man outside that room and outside Turkey who would not condemn the Turkish delegation.

Lord Curzon asked to say one word more to Ismet Pasha. His Excellency knew the views of Angora and he (Lord Curzon) did not. But Ismet Pasha had not justified himself before Great Britain or before the world. Let him consider, for instance, English public opinion. When he (Lord Curzon) came here to conclude peace there was a strong feeling in England in favour of Turkey, in spite of the fact that Turkey had attacked Great Britain in 1914 and was England's enemy. There were many in England who remembered the old traditions of friendship between England and Turkey. Everyone of these wished Lord Curzon to return with a peace generous to Turkey. If, however, his Excellency read English newspapers, he would know that the attitude of the friends of Turkey in England was changing. It had been becoming daily more unfavourable as Ismet Pasha kept demanding everything and refusing everything. When, the day after to-morrow, Lord Curzon was back in London and told England how he had fought, and how at the last moment he had failed and on what he had failed, people in England would say that it was impossible to negotiate with Turkey and that is was impossible to enter into friendly relations with her. The hearts of the people who had been the friends of Turkey would be shut. English purses and English hands would be closed. No one would understand why Turkey had thus refused to resume relations with England. A short time ago his Excellency had said to him that he wanted English friendship. Lord Curzon had believed him. Was Turkey really going to throw away the friendship of England for the sake of the questions now at issue? He begged Ismet Pasha to reflect, not only on the present situation, but on what the future would bring forth. The future of Turkey was at stake. Turkey was not a self-sufficing country. She could not do without relations with the rest of the world, and the world wished to enter into relations with her, and yet Ismet Pasha was going to inflict this tremendous suffering on his own people.

ISMET PASHA replied that he had spoken in conscientious conviction. If his modest proposals were not accepted, England would to-morrow ask why Lord Curzon could not make peace. It would be known that Turkey had merely refused the judicial and economic proposals of the Allies because they were irreconcilable with Turkey's independence. For Turkey this question was vital. For the Allies it meant little. Why should the work of months be allowed to fail over this? The responsibility rested on the Allies and not on the Turkish delegation.

LORD CURZON feared that there was nothing more now to be done. They had worked for peace for the last two hours.

M. BOMPARD asked Ismet Pasha to remember what Marshal Foch had done in 1918. When Germany was beaten, when the Allied armies were ready to march to Berlin, he had made an armistice rather than continue that march simply because he wished to save precious human lives. His decision was the decision of a great man, of a man conscious of his duty to humanity. Ismet Pasha was a great soldier and he should reflect on that noble example of a Marshal of France.

ISMET PASHA answered that he realised the greatness of Marshal Foch and the greatness of his action, but he wished to recall Mudania and his own action there. A few months ago he had worked with the Allied generals, and especially with his friend, General Harington, to bring about the situation in which this peace conference might be made possible. They had succeeded.

SIR HORACE RUMBOLD urged that it was now his Excellency's duty to complete what he had begun at Mudania.

RIZA NUR interposed to point out that the Turkish delegation had done all they could. If they gave way further on the points under discussion, the treaty would not be ratified by Angora.

LORD CURZON refused to accept this statement. Only a few days ago Lord Curzon had asked Ismet Pasha whether, if the latter signed a treaty, it would be ratified. His Excellency had said "yes," and had added that if he returned to Angora with a draft which was not signed it would be torn up, but if he returned with a signed treaty it would be ratified without delay.

Riza Nur replied that Ismet Pasha could only sign something which the Turkish people wanted.

M. Bompard pointed out that what Turkey wanted was peace—a generous, just peace such as the Allies were now offering her.

The Marquis Garroni supported M. Bompard. There was really no substantial difference between the Allies and Turkey.

Lord Curzon observed that it was now twenty minutes to 8. Soon after 9 o'clock he must be in the train. He would ask Ismet Pasha in the short interval before he left to talk the matter over again with his friends. If he could come back in, say half-an-hour, there might still be time in which to conclude peace. Let him discuss the points again with his friends and his experts. Let him once again reflect. Lord Curzon and his colleagues would then be happy to see him again. Lord Curzon concluded by pointing out that this might be the last time he would ever see Ismet Pasha. He wished to carry back to London a memory of friendship and he would like to sign a common pact of peace and friendship with Ismet Pasha before he left.

At this point Ismet Pasha and Riza Nur rose and took their leave, and the meeting closed at 7.45 p.m.

ANNEX A to No. 56.

Le Gouvernement de Sa Majesté britannique déclare, en ce qui concerne la disposition de l'article 3, alinéa 2, du Traité de Paix, son intention de prier le Conseil de la Société des Nations à ne pas procéder à la détermination des frontières entre la Turquie et l'Irak jusqu'à l'expiration d'un délai de douze mois à compter de la mise en vigueur dudit traité.

La présente déclaration est faite en prévision de la possibilité d'un règlement de cette question au cours dudit délai par les Gouvernements britannique et turc. Elle est expressément subordonnée à l'engagement réciproque que pendant cette période aucun mouvement militaire ou autre n'apportera un changement quelconque dans l'état actuel des territoires en question.

In regard to article 3, paragraph 2, of the Treaty of Peace, His Majesty s Government declare their intention not to invite the Council of the League of Nations to proceed to the determination of the frontier between Turkey and Irak until the expiration of a period of twelve months from the date of ratification of the present treaty.

This decision is taken with a view to a possible settlement of the case in the interval by agreement between the British and Turkish Governments, and is subject to the mutual understanding that during the above period there shall be no alteration, by military movements or otherwise, in the *status quo* in the territories concerned.

ANNEX B to No. 56.

Allied Formula regarding Græco-Turkish Reparations.

Les réclamations du Gouvernement turc contre le Gouvernement hellénique, qui ont été présentées à la conférence, ainsi

The claims presented to the conference by Turkey against Greece, as well as the claims presented to the conference by que les réclamations du Gouvernement hellénique contre le Gouvernement turc, également présentées à la conférence, feront l'objet d'un accord ultérieur à intervenir entre les deux Gouvernements.

En cas de désaccord, la question sera réglée par voie d'arbitrage.

Greece against Turkey, shall form the subject of an agreement to be arrived at later between the Greek and Turkish Governments.

In case of disagreement, the matter shall be referred to arbitration.

ANNEX C TO No. 56.

TURKISH FORMULA REGARDING GRÆCO-TURKISH REPARATIONS.

Les réclamations du Gouvernement turc contre le Gouvernement hellénique concernant les réparations dans les régions dévastées qui ont été présentées à la Conférence de Lausanne, feront l'objet d'un accord ultérieur à intervenir entre les Gouvernements turc et hellénique.

En cas de désaccord, la question sera réglée par voie d'arbitrage.

The claims presented to the Conference of Lausanne by the Turkish Government against the Greek Government for reparation of damage occasioned in the devastated provinces shall form the subject of an agreement to be arrived at later between the Greek and Turkish Governments.

In case of disagreement, the matter shall be referred to arbitration.

ANNEX D TO No. 56.

COUNTERDRAFT SUBMITTED BY ISMET PASHA ON SUNDAY, FEBRUARY 4TH, AS THE MAXIMUM JUDICIAL SAFEGUARDS FOR FOREIGNERS WHICH THE TURKISH DELEGATION COULD OFFER.

Le Délégation turque a déjà ou l'occasion de faire connaître que le Gouvernement de la Grande Assemblée Nationale de Turquie est en mesure d'assurer aux étrangers devant les tribunaux toutes les garanties d'une bonne justice et qu'il est à même d'y veiller dans le plein exercice de sa souveraineté et sans aucune intervention étrangère. Il n'en est pas moins disposé à faire procéder à des enquêtes et études pour introduire telles réformes que justifierait le progrès des moeurs et de la civilisation.

Dans cet esprit, la Délégation turque tient à faire la déclaration suivante.

Le Gouvernement turc se propose de prendre incessamment à son service pour la période qu'il

The Turkish Delegation has already had occasion to state that the Government of the Grand National Assembly of Turkey is in a position to ensure to foreigners in the Courts all the safeguards of a good judicial system and to provide therefor in the exercise of its full sovereignty and without any kind of foreign interference. It is nevertheless prepared to have an investigation made and to cause the situation to be studied with a view to the institution of such reforms as may be rendered advisable by the development of manners and civilisation.

Animated by this spirit, the Turkish Delegation desires to make the following declaration:

The Turkish Government proposes to take immediately into its service, for such period as it may jugera nécessaire et qui ne sera pas inférieure à cinq années, des conseillers légistes européens qui seront choisis par lui parmi les jurisconsultes ressortissants des pays n'ayant pas participé à la guerre de 1914/18, et qui seront des fonctionnaires turcs.

Ces conseillers légistes dépendront du ministère de la Justice, où ils participeront aux travaux des commissions de réformes législatives et seront spécialement chargés de suivre, dans les villes de Constantinople et Smyrne, le fonctionnement des juridictions civiles, commerciales et pénales turques et de recevoir toutes plaintes auxquelles pourraient donner lieu soit l'administration de la justice civile, commerciale ou pénale, soit l'exécution des peines, soit l'application des lois avec mission d'un rendre compte au ministère de la Justice à l'effet d'assurer la stricte observation de la législation turque.

Dans les matières correctionnelles, la mise en liberté sous caution devra toujours être prononcée, à moins que la sécurité publique n'en fût de ce fait compromise ou que la mise en liberté provisoire n'entravât la bonne marche de l'instruction de l'affaire.

Tout compromis et clauses compromisoires en matière civile ou commerciale sont permis, et les décisions arbitrales ainsi rendue, seront exécutées sur le visa du Président du Tribunal de première instance, qui ne pourra refuser son visa qu'au cas où la décision serait contraire à l'ordre public.

La présente déclaration sera valable pour une durée de cinq années.

consider necessary, not being less than five years, European legal counsellors whom it will select from among jurists nationals of countries which did not take part in the war of 1914-18, and who will be Turkish officials.

These legal counsellors will serve under the Ministry of Justice, in which department they will take part in the work of the commissions for the reform of legislation. It will be their duty more particularly to observe, in the cities of Constantinople and Smyrna, the working of the Turkish civil, commercial and criminal courts, and to receive all complaints to which the administration of justice in civil, commercial, or criminal matters, the execution of sentences, or the manner of application of the law may give rise, with a view to bring such complaints to the notice of the Ministry of Justice in order to ensure the strict observance of the provisions of Turkish legislation.

In correctional cases release on bail shall always be ordered, unless this entails danger to public safety, or unless such provisional release is calculated to impede the proper investigation of the case.

In civil or commercial matters every kind of reference to arbitration and clauses in agreements providing therefor are allowed, and the arbitral decisions rendered in pursuance thereof shall be executed on being countersigned by the President of the Court of First Instance, who shall not refuse his signature unless the decision should be contrary to public order.

The present declaration shall remain in force for a period of five years.

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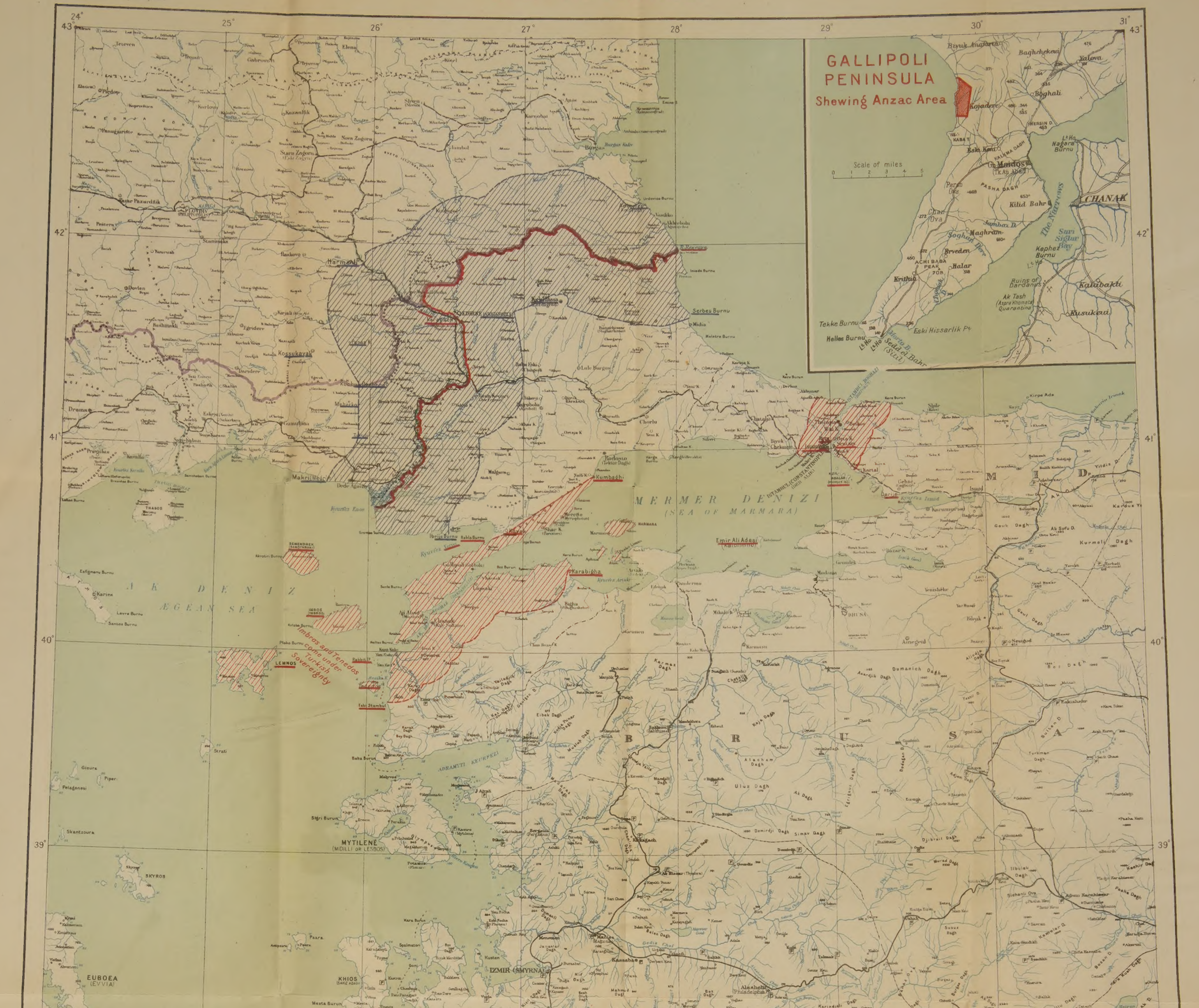
FRONTIER OF TURKEY IN EUROPE
DEMILITARIZED ZONES OF THE STRAITS AND IN THRACE
THE ISLANDS (DODEKANESIA)
GALLIPOLI PENINSULA.

Scale 1:1,500,000


GALLIPOLI PENINSULA
Shewing Anzac Area
Scale of miles
CHANAK
Kilid Bahr
The Narrows
Maidos
Achi Baba Peak
Krithia
Sedd el Bahr
Helles Burnu
Tekke Burnu
Eski Hissarlik Pt.
Kum Kale
Kojadere
MERMER DENIZI (SEA OF MARMARA)
AK DENIZ ÆGEAN SEA
Imbros and Tenedos to remain under Turkish sovereignty
LEMNOS
SAMOTHRACE
IMBROS
TENEDOS
MYTILENE (MIDILLI or LESBOS)
KHIOS
SAMOS
NIKARIA
EUBOEA (EVVIA)
SKYROS
ANDROS
KEOS
TENOS
PAROS
NAXOS
MELOS
KYKLADES
DODEKANESIA
SPORADES
PATMOS
LEROS
KOS
ASTROPALIA
RHODOS
Kastellorizo
SCARPANTO (KARPATHOS)
KASO
IZMIR (SMYRNA)
BRUSA
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ADANA
ISTANBUL (CONSTANTINOPLE)
Adrianople
Serbes Burnu
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43°
Scale 1:1,500,000
Kilometres
Miles

G.S.G.S. Nº 3000.

War Office, February, 1923.

Frontier of Turkey	🟥
Demilitarized Zone in Thrace	▨
Demilitarized Zones and Islands defined in Article 4 of the Convention of the Straits.	▨
Southern Frontier of Bulgaria (Treaty of Neuilly)	━

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